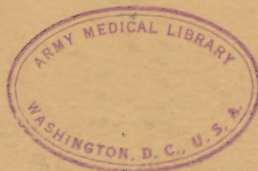




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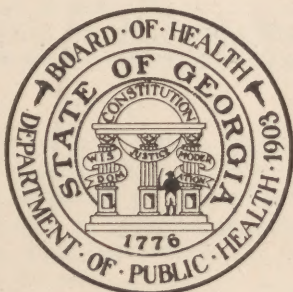
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and
RULES AND REGULATIONS
of
STATE BOARD OF HEALTH



STATE OF GEORGIA
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ATLANTA

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GEORGIA HEALTH LAWS
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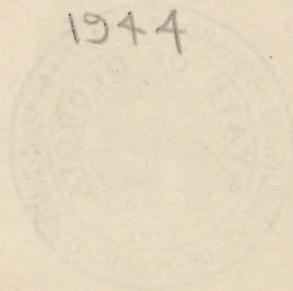
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STATE OF GEORGIA

Department of Public Health

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TABLE OF CONTENTS

	Page
State Board of Health and State Department of Public Health	
Creation; management and control by State Board of Health.....	3
State Board of Health members; number; appointment; qualifications; Governor as ex-officio member.....	3
Vacancies in Board; chairman and vice chairman.....	3
Terms of office of members of Board.....	4
Director of Department; election; qualifications; term of office; compensation; bond	4
Secretary of Board; compensation; duties.....	4
Rules and Regulations of Board; powers, duties, and rights.....	5
Duty to attend Board meetings; effect of absence.....	5
Annual inspections and report by Board.....	5
Compensation of members of Board; mileage; emoluments.....	5
Clerks and assistants in Department.....	6
Powers and duties of Board.....	6
Diphtheria antitoxine, distribution of.....	7
Sale of diphtheria antitoxine by ordinaries.....	7
Proceeds of sales of diphtheria antitoxine.....	7
Hydrophobia, prevention of.....	7
Rules and regulations, authority of Board to make.....	8
Report of local boards of health to State Board.....	8
Annual report of State Board.....	8
Health Board Cooperation, Maternal and Child Health Service.....	9
Public Health Department Director's Compensation.....	9
 County Boards of Health	
Creation; membership; terms of office; vacancies; authority.....	10
Meetings of board; compensation of members.....	11
Rules and regulations, authority of county boards to make.....	12
Rules and regulations may be changed, repealed, etc.....	12
Rules and regulations to be advertised.....	12
How expenses are to be paid.....	12
City and county health departments.....	13
 County Health Departments. Sanitary Districts. District Health Commissioners	
When provisions of Chapter become operative; when suspended.....	13
Division of State into sanitary districts.....	15
District commissioners; appointment; qualifications; term of office; examination; suspension	15
Appointment of commissioner; acceptance; oath; bond; salary; vacancy.....	16
Commissioners' entire time to be given to offices; powers; removal; successor to suspended commissioner.....	17
Expenses of health department; taxes to meet.....	18
Office provided for commissioner.....	19
Duties of commissioners.....	19
Powers and duties of commissioner in districts comprising more than one county	19
Deputy commissioners and nurses, employment of.....	20
Exempting certain counties.....	20

Miscellaneous Sections of Georgia Code of 1933

Vaccination of pupils of public schools.....	21
Isolation and quarantine in infectious diseases.....	21
Smallpox; vaccination; compulsory measures.....	21
Treatment of child to prevent blindness from gonococcus infection....	21
Report of inflammation of eyes of infants.....	22
Sale of unwholesome provisions.....	22
Sale of adulterated drugs or liquors.....	22
Furnishing wrong article or medicine by vendor of drugs and medicines	22
Right of action in widow and children in case of death.....	22

Veneral Diseases

Syphilis, gonorrhea and chancroid declared contagious and infectious; unlawful exposure	25
Report of cases of veneral diseases to health authorities.....	25
Examination; treatment, and isolation of persons infected.....	25
Treatment of prisoners; hospitals; report to physicians for treatment	25
Rules and regulations authorized.....	26
Rules and Regulations of State Board of Health for Control of Venereal Diseases	26
Venereal diseases to be reported.....	26
Patients to be given information.....	27
Investigation of cases.....	27
Protection of others from infection by venereally diseased persons ..	27
Conditions under which the name of a patient is required to be reported	31
Druggists forbidden to prescribe for veneral diseases	32
Spread of venereal disease unlawful	32
Prostitution to be repressed	32
Giving certificates of freedom from venereal diseases prohibited	32
Records to be secret	32
Violation to advertise	32
Regulations for Distribution of Free Drugs for Venereal Disease	33
Declaration by the Georgia State Board of Health of a Quarantine and Promulgation of Rules for Its Enforcement	35
Venereally diseased persons entering State	36
Duty of physicians to report	36
Duty of detention officers to report	36
Isolation and quarantine under certain conditions	37
Transportation provided for	37
Conditions of release from quarantine	38
Visits to isolated persons restricted	38
Detention and transportation by authorized persons	38
Name and location of places of detention to be announced	38
Penalty	39
Transportation from place of detention	39
Cooperation in Venereal Disease Control—House Resolution No. 42	39
Syphilis—Blood Test during Pregnancy Required	40
Prostitutes and Prostitution	41

Vital Statistics

Page

State Board of Health to supervise	47
Bureau of Vital Statistics; establishment; supervision; offices; equipment; assistants	47
Registration districts	47
Local registrars; appointment; deputies; removal	47
Registration of births, requirment	48
Filing certificate of birth	48
What birth certificate shall contain	49
Registration of stillbirths	50
Supplemental report of name	51
Registration of midwives	51
Blank forms; alteration of certificates	51
Preservation of certificates; card index; information as to disease	52
Organizations may file records already in their posession; record; index; transcript	52
Duties of local registrars	53
Compensation of local registrars; fees; how paid	54
Certified copies of records; fees	55
Burial or removal permit	55
Certificate of death	55
Death occuring without medical attendance.....	57
Obtaining burial or removal permit.....	58
Burial casket, record and report by seller	58
Notice inclosed in caskets sold	59
Wording of burial permit when body disposed of within State	59
Return of permit. Record of bodies disposed of	59
Duty of local registrars and State Board of Health in enforcing law ...	59
Adopted children—Birth Certificates	60
Birth Certificate—Delayed.....	61
Birth Certificate—Short Form certification	63

Crimes

Failure of public officers to obey quarantine and sanitary regulations...	67
Violating county health rules and regulations	67
Violation of certain quarantine regulations after notice	67
Refusal to answer inquiries as to disease on board vessel	67
Failure by master of vessel to deliver to officer his bill of health, etc.	67
Quarantine inland traveler traveling before discharged	68
Pilot entering vessel with disease on board; master refusing to answer inquiry	68
Nonobservance of quarantine by persons on board vessel	68
Refusal to certify performance of quarantine	68
Concealing smallpox	68
Spreading smallpox	69
Transportation, sale, etc., of imported second-hand clothing	69
Violation of orders of Governor as to contagious of infectious diseases	69
Violation of quarantine	69

	Page
Violation of law to prevent blindness from gonococcus infection	69
Violation of venereal disease law	69
Transportation of dead bodies	70
Illegal traffic in human bodies	70
Illegal removal of dead body from grave	70
Omission to perform duties as to dead bodies	70
Disinterring by coroner without good grounds	71
Interference in selection of caskets	71
Carcasses of animals, how placed or buried	71
Owner must bury dead animals and fowls	71
Owner must bury stale or decaying matter	72
Storing of dangerous explosives by aliens or nonresidents	72
Illegal purchase, sale, or use of explosives	72
Violation of law protecting correspondence of inmates of private in- sane asylums	72
Violation of vital statistics law	72

Cancer Prevention and Cure

Cancer Prevention and Cure (Georgia Laws 1937)	77
Rules and Regulations for the Prevention and Cure of Cancer	78

Matresses—Sanitary Regulations

Matresses—Sanitary Regulations (Georgia Laws 1937)	85
Rules and Regulations Governing Manufacture, Renovation and Sale of Bedding	89

Shellfish Sanitation

Oysters and Oyster Beds—Regulated (Georgia Laws 1943)	90
Shellfish and Oyster Beds—Sanitary Conditions (Georgia Laws 1943) ..	93
Rules and Regulations Governing Shellfish Sanitation	95

Miscellaneous Rules and Regulations of the State Board of Health

Control of Communicable Diseases	105
Regulations Governing the Practice of Midwifery	106
Rules and Regulations Forbidding Search of Records	111
Rules and Regulations Governing Water Supply and Water Purifica- tion System	112
Rules and Regulations on Sewerage Systems and Sewage Purifica- tion Works	116
Rules and Regulations Governing the Impounding of Water	122
Rule Regulating the Manufacture, Importation and Bottling of Waters	125
Rules and Regulations for the Control of Undulant Fever	126
Rules and Regulations for the Control of Rabies	127
Rules and Regulations Adopted by the State Board of Health for Restaurant Sanitation	128
Resolution on United States Public Health Service Milk Ordinance and Code (March 20, 1940)	135

	Page
Resolution on United States Public Health Service Milk Ordinance and Code (March 18, 1943)	136
Regulations Concerning the Reporting of Occupational Diseases and Investigations Covering Them.....	137
Regulations Governing the Use of Hatters' Mercurial Carroting Solutions	138
Rules and Regulations Prohibiting the Importation, Purchase, Breeding, Giving Away, Sale or Offer of Sale of Birds of the Psittacine Family	139
Regulations Governing the Quarantine and Control of Communicable Tuberculosis	139

Related Legislation

Dance-Halls, etc., County Permit; Tax (2 laws)	143
State Board of Pharmacy—Drug Inspection	144
Dangerous Drug Act	148
Sterilization—State Board of Eugenics	149
Hospitals, Sanatoria..... outside of Municipalities, How Established ..	153
County Taxation—Hospitalization	154

FOREWORD

There has long been a need for a single volume which contained the health laws of the State and the rules and regulations that have been adopted by the State Board of Health.

This volume contains the laws with which the State and local health departments are concerned, and all of the rules and regulations of the State Board of Health that are in effect on this date. Laws affecting specific counties are not included.

Other laws which indirectly concern the health departments are mentioned by title, and the volume and page where they may be found are given to facilitate ready reference.

T. F. Abercrombie, M. D.

January 1, 1944.

Director.

REFERENCES

Barber Shops, Sanitary Regulations of

Georgia Code 1933, Section 84-404, pages 1979-1980

Billiard Rooms, Sanitation of

Georgia Code 1933, Section 84-1608, page 2043

Dairies, Sanitation of

Georgia Code 1933, Title 42, pages 1254-1265

Dead Bodies, Distribution of Unclaimed

Georgia Code 1933, Chapter 88-7, pages 2161-2163

Dead Bodies, Transportation of

Georgia Code 1933, Chapter 88-6, pages 2159-2161

Drainage, Establishment of System of County

Georgia Code 1933, Chapter 23-25, pages 553-575

Food and Drugs, Sanitation of

Georgia Code 1933, Title 42, pages 1242-1271, and amendments:
Georgia Laws 1935, page 167; Georgia Laws 1937, pages 849-851;
Georgia Laws 1941, pages 238, 239, 565

Hospital Authority

Georgia Laws 1941, pages 241-253

Hotel and Inn Sanitation

Georgia Code 1933, Title 52, pages 1400-1404

Merit System

Georgia Laws 1943, pages 171-177

Nuisance, Abatement of

Georgia Code 1933, Chapter 72-2, pages 1838-1840

Pesthouses and Hospitals, Establishment of; and Maintaining Quarantine. Georgia Code 1933, Chapter 88-4, pages 2153-2157.

Poison and Narcotics, Sale of

Georgia Code 1933, Title 42, pages 1265-1271; Georgia Laws 1935, pages 418-439; Georgia Laws 1939, pages 288-290; and pages 148, 149 of this bulletin.

STATE BOARD OF HEALTH AND STATE DEPARTMENT OF PUBLIC HEALTH

88-101, Georgia Code 1933. **Creation; management and control by State Board of Health.**—There is hereby created and established a department of the State Government to be known as the Department of Public Health, under the management and control of a Board of Health. (Acts 1933, pp. 7, 8.)

88-102, Georgia Code of 1933. **State Board of Health members; number; appointment; qualifications; Governor as ex-officio member.**—The Board of Health shall be composed of 14 members, appointed by the Governor and confirmed by the Senate, four from the State at large and one from each congressional district: Provided, that such appointments shall be made from lists of nominees submitted to the Governor by the governing bodies of the Medical Association of Georgia, the Georgia Dental Association, and the Georgia Pharmaceutical Association. The nominees submitted by the governing body of the Georgia Pharmaceutical Association shall be from the State at large, and shall be at least four in number, from which two appointments shall be made by the Governor. The nominees submitted by the governing body of the Georgia Dental Association shall be from the State at large, and shall be at least four in number, from which two appointments shall be made by the Governor. The nominees submitted by the Medical Association of Georgia shall be at least 20 in number, two from each congressional district, from which 10 appointments, one from each congressional district, shall be made by the Governor. A majority of all the members of the Board shall, at all times, be practicing physicians in the State. The Governor shall be ex officio a member of said Board of Health. (Acts 1933, pp. 7, 9.)

88-103, Georgia Code 1933. **Vacancies in Board; chairman and vice chairman.**—In case of a vacancy, from any cause, in the membership of the Board, the Governor shall fill the vacancy by appointment, to be confirmed by the next succeeding session of the Senate, from a list of at least two nominees submitted by the governing body of the organization named in section 88-102, whose nominee's place has become vacant. The Board of Health shall elect one of

its members as chairman, and one as vice chairman. (Acts 1933, pp. 7, 10.)

88-104, Georgia Code 1933. Terms of office of members of Board.—The terms of office of the 14 members first appointed shall be as follows: Two shall be appointed for a term ending September 1, 1934; two for a term ending September 1, 1935; two for a term ending September 1, 1936; two for a term ending September 1, 1937; three for a term ending September 1, 1938; three for a term ending September 1, 1939; and their successors shall be appointed for full terms of six years each. (Acts 1933, pp. 7, 9.)

88-105, Georgia Code 1933. Director of Department; election; qualifications; term of office; compensation; bond.—Said Board shall elect a Director of the Department of Public Health, who shall devote his entire time to the work of the Department; hold office for a term of six years; be provided with suitable offices in the State capitol or elsewhere at the discretion of the Governor; (Act changing Director's salary, Acts 1943, p. 196, see page 9 of this bulletin.) Such Director shall give bond for the faithful performance of his duties and for the faithful accounting for all moneys coming into his hands as Director of the Department of Public Health, in such amount and under such terms and conditions as may be prescribed by said Board of Health: Provided, that such Director shall be a graduate physician authorized to practice medicine and surgery in this State, and shall have had not less than five years' experience in the practice of said profession: Provided further, that such Director shall not be elected or appointed by said Board until the expiration of the term of the incumbent on January 1, 1936, until which time said incumbent shall continue in office as Director of the Department of Public Health under control of said Board of Health. (Acts 1933, pp. 7, 10.)

88-106, Georgia Code 1933. Secretary of Board; compensation; duties.—The Board of Health shall elect a secretary, not a member thereof, from the clerical staff of the Department of Public Health, who shall serve without additional compensation for his duties as secretary, and who shall keep accurate minutes of each meeting of said Board, submitting such minutes to the chairman of the Board for his approval within 10 days after adjournment of such meeting. (Acts 1933, pp. 7, 10.)

88-107, Georgia Code 1933. Rules and regulations of Board;

powers, duties, and rights.—The Board of Health shall establish such rules and regulations for its own direction as it may deem proper and may confer upon the Director of the Department of Public Health such duties and powers as it deems proper. The Board is vested with all of the powers, duties, privileges, and rights which by law existed in the State Board of Health prior to the Act approved August 28, 1931, abolishing the said State Board of Health: Provided, however, that no provision of this law shall be construed as giving said Board jurisdiction over the State Training School for Mental Defectives at Gracewood. (Acts 1933, pp. 7, 11.)

Provided, however, that effective July 1, 1937, the authority and duties in supervising and conducting the management of the State Tuberculosis Sanatorium, as laid down in Chapter 35-4 of the 1933 Code of Georgia are hereby transferred and removed to the State Board of Health of Georgia. (Acts 1937, p. 368.)

88-108, Georgia Code 1933. **Duty to attend Board meetings; effect of absence.**—It shall be the duty of the members of the Board of Health to attend its meetings and to take part in its deliberations. The office of any member of the Board shall be vacated if he shall neglect to furnish a good and satisfactory excuse in writing to the Board for absence from two consecutive meetings of the Board. If any member for any cause shall fail to attend three consecutive meetings of the Board, without valid excuse or leave of absence from said Board or the chairman or vice chairman thereof, his office shall be declared vacant by the Board, and the secretary shall in either event notify the Governor and the president of the organization named in section 88-102, whose nominee's place has become vacant, of a vacancy in the Board, and the same shall be filled as hereinbefore provided. (Acts 1933, pp. 7, 11.)

88-109, Georgia Code 1933. **Annual inspections and report by Board.**—The Board, through committees of not less than two of its members, shall make at least one annual inspection of each activity of the Department of Public Health, and such committees shall report their findings and conclusions to the Board in writing. (Acts 1933, pp. 7, 12.)

88-110, Georgia Code 1933. **Compensation of members of Board; mileage; emoluments.**—The members of the Board shall each receive the sum of \$7 for each day of actual attendance at

the meetings of the Board or on tours of inspection, in lieu of their personal expenses incurred thereby, and shall receive mileage to and from the place of meeting or place of visits and inspection, by the nearest practical route from their respective homes; such expenses and mileage to be paid by the State Treasurer out of the funds of the State, by executive warrant, on presentation of vouchers by the members of the Board, approved by the chairman and signed by the secretary. The members of the Board shall receive no emoluments or compensation for their service as such members. (Acts 1933, pp. 7, 12.)

88-111, Georgia Code 1933. **Clerks and assistants in Department.**—Under the direction and supervision of said Board of Health the Director of the Department may employ such clerks and assistants as may be provided for in an appropriation made for the support of said Department. (Acts 1933, pp. 7, 12.)

88-112, Georgia Code of 1933. **Powers and duties of Board.**—The State Board of Health shall have supervision of all matters relating to the preservation of the life and health of the people. It shall have supreme authority in matters of quarantine, and may declare and enforce quarantine when deemed necessary. It shall make and enforce reasonable orders or regulations for the prevention of the spread of contagious or infectious diseases. It shall be the duty of all local boards of health and the public and municipal officers of this State to enforce such quarantine and sanitary rules and regulations as may be adopted by the State Board. The State Board shall make careful inquiry as to the cause of diseases, especially when contagious, infectious, epidemic, or endemic, and take prompt action to control and suppress them. It shall be the duty of the Board to collect and preserve records of births and deaths and report the same, together with other such useful information, annually, to the Governor. It shall respond promptly when called upon by the State or local governments and the municipal and county boards of health to investigate and report upon the water supply, sewerage, disposal of excreta, or ventilation of any place or public buildings. It shall not have power to supersede municipal boards of health where the same are properly maintained, but shall act in harmony with said local boards of health. It is made the duty of the State Board of Health to enforce the provisions of Chapter 88-4, relating to health and quarantine, in so far as the same may be done without violating any of the provis-

ions relating to the duty of local boards of health; and the fines and forfeitures arising from the conviction of any person violating any of the laws of health and quarantine now of force in this State, or any violation of any reasonable rules and regulations for the protection of the public health promulgated by the State Board, shall be paid into the treasury of the city or county where said conviction was had, and be expended in aid of the quarantine and other sanitary laws. (Acts 1903, pp. 72, 73.) Note: See Chapter 88-99 of Georgia Code 1933, or pages 67, 69 and 72 of this bulletin, for penalties.

*88-113, Georgia Code 1933. **Diphtheria antitoxine, distribution of.**—The State Board of Health shall ship to and keep with the ordinaries a reasonable supply of diphtheria antitoxine for the purpose of supplying the needs of the physicians in each county, for charitable purposes only, and shall keep the proper dates on all packages so shipped, and the ordinaries are authorized and directed to turn over to the authorities of all charity and city hospitals of each county as demands are made by them such amount as they may need for the treatment of diphtheria in said hospitals. (Acts 1909, p. 130.)

*88-114, Georgia Code 1933. **Sale of diphtheria antitoxine by ordinaries.**—The ordinaries of each county, while being required to furnish diphtheria antitoxine for charitable purposes only, are authorized to furnish antitoxine to purchasers of same, who are unable to purchase antitoxine from the registered pharmacists in their county, at the regular retail price at which said dealers usually sell first-class antitoxine which conforms to the United States Pharmacopoeia requirements. (Acts 1909, p. 130.)

*88-115, Georgia Code 1933. **Proceeds of sales of diphtheria antitoxine.**—The revenue derived from the sale of diphtheria antitoxine, with the exception of 10 per cent., which may be deducted by the ordinaries for their expenses, shall be returned to the Georgia State Board of Health, to be used in the manufacture of antitoxine. (Acts 1909, p. 130; 1931, pp. 7, 11; 1933, p. 7.)

88-116, Georgia Code 1933. **Hydrophobia, prevention of.**—The State Board of Health is empowered and directed, as soon as practicable, to arrange for the preparation and manufacture, in its lab-

*The State Department of Public Health now supplies diphtheria antitoxin free to physicians for the treatment of all cases of diphtheria.

oratory at the capitol, of material necessary for the treatment and prevention of hydrophobia according to the method of Pasteur, and to keep constantly on hand the necessary material sufficient in quantity to meet the requirements that any exigency may demand, and to distribute the same free of cost to physicians and surgeons over the State for the treatment of such of their patients as have been bitten by an animal suffering with rabies. (Acts 1906, p. 112; 1931, pp. 7, 11.) Note: See regulations for the control of rabies adopted by the State Board of Health on March 22, 1939, page 127 of this bulletin.

88-117, Georgia Code 1933. **Rules and regulations, authority of Board to make.**—The Board shall have authority to make such rules and regulations as are necessary to carry into effect the scope and purpose of this law, and especially such reasonable rules and regulations for the establishment, maintenance, and enforcement of quarantine regulations as the Board in its discretion may deem necessary, not in conflict with the laws of the State. (Acts 1903, pp. 72, 73; 1931, pp. 7, 11.)

88-118, Georgia Code 1933. **Reports of local boards of health to State Board.**—It shall be the duty of the local boards of health, and of physicians in localities where there are no health authorities, to report to the State Board of Health, promptly upon the discovery thereof, the existence of any of the following diseases, to wit: Asiatic cholera, yellow fever, scarlet fever, smallpox, diphtheria, typhus or typhoid fever, and such other contagious or infectious diseases as the State Board of Health from time to time may specify; and when any contagious or infectious disease shall become, or threaten to become, epidemic in any county, city, village or hamlet, and the local authorities shall neglect or refuse to enforce sufficient measures for its prevention, the State Board of Health may appoint a medical or sanitary officer, with such assistants as he may require, and it shall be the duty of such officer to enforce the orders or regulations of the State Board. (Acts 1903, pp. 72, 74; 1931, pp. 7, 11.)

88-119, Georgia Code 1933. **Annual report of State Board.**—It shall be the duty of the State Board of Health to make annual reports to the Governor on or before the first day of January of each year, which shall be for the preceding calendar year; and such report shall include so much of the proceedings of the Board, such information concerning vital statistics, such information re-

specting diseases, and such instructions on the subject of hygiene as may be thought useful by the Board for dissemination among the people, with such suggestions as to legislative action as it may deem necessary. (Acts 1903, pp. 72, 74; 1931, pp. 7, 11.)

Georgia Laws 1937. Health Board Cooperation, Maternal and Child Health Service.

Section 1. Program of Services; Cooperation. The State Board of Health is hereby designated as the State agency for and shall have the power to establish and administer a program for services for the purpose of promoting the health of mothers and children; supervise the administration of those services included in the program, which are not administered directly by it; extend and improve any such services including maternal and child health services administered by local maternal and child health units, and including all such services in existence on the effective date of this Act; co-operate with medical nursing and welfare groups and organizations; and provide for the development of demonstration services; to cooperate with the Federal Government through its appropriate agency or instrumentality in developing, extending and improving such services; and receive and expend all funds made available to the Department by the Federal Government, the State or its political subdivisions or from other sources for such purposes.

Section 2. The State Board is hereby authorized and empowered to cooperate with the Public Health Service of the United States Treasury Department in establishing and maintaining adequate public health services as provided for in Title 6 of the Federal Social Security Act, Public No. 271, 74th Congress, House Resolution 7260, approved August 14, 1935, and as said Act of Congress may be amended hereafter. (Acts 1937, pp. 688, 689.)

Georgia Laws 1943. Public Health Department Director's Compensation.

Section 1. How fixed; Salary limit. That the State Board of Health shall fix the salary of the Director of the Department of Public Health, in accordance with the classification and compensation plan established under the rules and regulations for the merit system of personnel administration of the Department of Public Health and approved by said Board and the co-operating Federal

agencies provided for in Titles V and VI of the Federal Social Security Act; provided that the salary of said Director shall not exceed sixty hundred (\$6,000.00) per annum. (Act 1943, p. 196.)

COUNTY BOARDS OF HEALTH

88-201, Georgia Code 1933. **Creation; membership; terms of office; vacancies; authority.**—A county board of health for each county is hereby created, composed of three persons, two of whom shall be members of such board by virtue of their offices, to wit: the county superintendent of schools, and the chairman of the board of roads and revenues of the county, or some other member of the board of roads and revenues of the county appointed by said chairman, or in counties having no such board, the ordinary of said county, and one reputable physician elected by the grand jury of the county, at the session of the superior court for said county next preceding the regular January session of the county board of health of said county, or at any succeeding session of said court. The physician so elected shall hold office for a term of four years, and until his successor is elected and qualified. All vacancies shall likewise be filled by elections by the grand jury, and the person so elected shall hold office for the remainder of the term and until his successor is elected and qualified. The county boards of health shall have supervision over all matters relating to health and sanitation in their respective counties, with authority to declare and enforce quarantine therein subject to the provisions of this law. Any town or city within the county having a population of not less than 5,000 or not more than 20,000 as shown by the most recent decennial United States Census may appoint two members of the county board of health, and the membership of such board of health shall be increased to include such two members from each such city or town: provided, that said town or city participates in the expenses of the county health department as provided in Section 7 of this Act. (See section following 88-305, page 18 of this bulletin.) The said two members shall consist of the mayor or city manager, as determined by the governing body of the town or city, and one other citizen appointed by the mayor and council or other governing body of the town or city. The term of such member shall be for four years or until his successor is appointed and qualified. Each city within the county having a population of more

than 20,000 as shown by the most recent decennial United States Census shall appoint four members of the county board of health from such city as follows: the mayor or city manager, as determined by the governing body of the city, and three members appointed by the mayor and council of the city, and the membership of such board of health shall be increased to include such four members from each such city. The term of office of the three appointed members shall be four years or until their successors are appointed and qualified, except that when the first appointments are made one member shall be appointed for two years, one for three years, and one for four years. All vacancies shall be filled by the same method as above set forth for the appointment of such members, and such appointee shall hold office for the remainder of the term and until his successor is appointed and qualified. Each member of the several county boards of health, whether ex-officio or appointed as herein provided, shall have a certificate of membership on such board signed by the Director of the Georgia Department of Public Health, and take the oath of office usually taken by other county officers, before assuming the duties of the office. The clerk of the superior court of the county shall certify, under seal, to the Director of the Georgia Department of Public Health the names of the county school superintendent, the chairman of the board of roads and revenues, or ordinary, and the physician appointed to the board by the grand jury, with the dates of appointment and termination, and the clerks of the several towns and cities having representation on the county boards of health shall likewise certify, under seal, to the Director of the Georgia Department of Health the names of the members from such towns and cities. The county board of health shall have authority to pass rules and regulations which shall apply to citizens and premises within the limits of any city or town, or other area having a density of population comparable to that of a city or town whether incorporated or not, and which may or may not apply to citizens or premises in less densely populated or rural areas, as well as regulations which shall apply only to citizens or premises in sparsely populated or rural areas which may or may not apply to citizens or premises of cities, towns, or densely populated areas. (Acts 1914, pp. 124, 125; 1941, pp. 317, 318; 1943, pp. 371-385.)

88-202, Georgia Code 1933. **Meetings of board; compensation of members.**—Said county boards of health shall hold their regular

sessions on the first Thursdays of January, April, July and October in the county courthouse, and may also meet in extra session at any time for county health purposes or when an emergency or necessity may require. The members of said boards shall receive as their compensation the sum of \$2 per diem while actually engaged in the performance of the duties of said board out of the funds of said county appropriated for quarantine and sanitation. (Acts 1914, pp. 124, 126.)

88-203, Georgia Code 1933. Rules and regulations, authority of county boards to make.—The county boards of health of the several counties shall have full power and authority to adopt, enact, establish, and maintain all such rules and regulations not inconsistent with the laws and Constitution of this State and of the United States, as they may deem necessary and proper for protecting the health of their respective counties, and for preventing the introduction, generation, and spread of infectious and contagious diseases therein. (Acts 1901, p. 61; 1914, pp. 124, 125; 1943, pp. 371-385.) Note: See Chapter 88-99 of the Georgia Code 1933, or page 67 of this bulletin, for penalties.

88-204, Georgia Code 1933. Rules and regulations may be changed, repealed, etc.—Said county boards of health shall have power and authority to alter, amend, add to, or repeal such rules and regulations, from time to time, as they may deem necessary and proper for the purpose of Chapters 88-2 and 88-3. (Acts 1914, pp. 124, 125.)

88-205, Georgia Code 1933. Rules and regulations to be advertised (Amended in 1943 by striking the following words: "shall have the written approval of not less than three reputable physicians of the county, and").—Such rules and regulations as may be established for any county, under the provisions of Chapters 88-2 and 88-3, and any amendments or alterations thereof, before the same shall have the force of law shall be posted at the courthouse door of the county and also published at least once in the newspaper of the county in which the sheriff's notices are advertised. (Acts 1901, p. 61; 1914, pp. 124, 125; 1943, pp. 371-385.)

88-206, Georgia Code 1933. How expenses are to be paid.—All cost and expense necessary and proper for carrying out of the provisions of Chapters 88-2 and 88-3 shall be paid out of the county treasury, and city treasuries as provided in Section 7 of

this Act (See section following 88-305, page 18 of this bulletin), and from funds of the Georgia Department of Public Health which may be appropriated by the General Assembly of Georgia, or allotted by the Federal Government, or other agencies as grants-in-aid. (Acts 1901, pp. 61, 62; 1914, pp. 124, 125; 1943, pp. 371-385.)

88-207, New Section of Georgia Code 1933. **City and county health departments.**—There are excepted from the provisions of this chapter those counties and municipalities in the State of Georgia which have heretofore provided or which may hereafter provide, pursuant to Acts of the General Assembly, for combined county and city health departments, or county-wide health departments, whether or not such acts refer to the provisions of this chapter or to the Acts from which it is codified; but such counties and municipalities are authorized to maintain and operate such combined or county-wide health departments pursuant to said respective acts upon a budget first approved by both the municipal and county taxing authorities of the cities and counties combining and by the county taxing authorities of the counties operating a county-wide health department, and all such acts heretofore enacted by the General Assembly are hereby ratified. Such combined or county-wide health departments shall, in all other respects, conform to Georgia Laws of 1914, pages 124-134, inclusive, and codified in Chapter 88-2 of the Code of Georgia of 1933 and popularly known as the Ellis Health Law, and such combined or county-wide health departments shall operate under the control of the State Department of Public Health. (Acts 1943, pp. 265, 266.)

COUNTY HEALTH DEPARTMENTS

SANITARY DISTRICTS. DISTRICT HEALTH COMMISSIONERS

88-301, Georgia Code 1933. **When provisions of Chapter become operative; when suspended.**—The provisions of sections 88-303 to 88-312 may become operative at any time upon the recommendation of the county board of health with the approval of the board of roads and revenues (or ordinary) but shall become operative in any county after the recommendation of two successive grand juries, but on such recommendation it shall become ob-

ligatory on the county boards of health and the county boards of roads and revenues and, in counties having no such board, upon the ordinary of said county, to carry out the provisions of this law, or the provisions of sections 88-303 to 88-312 of the Code of Georgia of 1933 may also be made operative in any county when a majority of the qualified voters of said county voting at an election held for said purpose shall have so expressed their wishes in the manner as hereinafter provided. When as many as one fifth of the residents of the county, qualified to vote for members of the General Assembly, shall have filed a written petition with the ordinary of any county in which the Ellis Health Law is not now operative, asking said ordinary to call an election for the purpose of determining whether the Ellis Health Law shall become operative in said county, it shall be the duty of the ordinary within ten days from the date of the filing of said petition to call an election for the purpose of submitting the said issue to the qualified voters of the county. The ordinary shall give notice of said election by publishing the same at least once in the official county organ thirty days before the date of the election. The ordinary shall have the authority to appoint election managers for the purpose of holding said election in the various precincts and the expenses of said managers and the other expenses of the election shall be paid out of the general funds of the county. The ordinary shall prepare the ballots for said election and on each ballot shall be printed the words "for making the Ellis Health Law operative in this county" and "against making the Ellis Health Law operative in this county", and should a majority of the qualified voters voting in said election vote "for making the Ellis Health Law operative in this county" then the ordinary shall consolidate the returns and so declare the result, and said Ellis Health Law shall immediately become operative in said county. Should a majority of the qualified voters in said election vote "against making the Ellis Health Law operative in this county" then said result shall be declared by the ordinary and the Ellis Health Law shall not become effective in said county.

If at said election a majority of the voters vote against making the Ellis Health Law effective in the county, no further election upon said issue shall be held before the expiration of at least twelve months from the date of said election. After said Ellis Health law shall have remained in operation in any county for a period of at least two years, either as a result of grand jury recom-

mendment or an election as aforesaid, the operation of said Ellis Health Law may be suspended in any county upon the recommendation of two successive grand juries of said county if it became operative by grand jury recommendation, or by vote of the people if it became operative by an election as aforesaid. (Acts 1914, pp. 124, 126; 1941, pp. 329-331; 1943, pp. 371-385.)

88-302, Georgia Code 1933. **Division of State into sanitary districts.**—The State shall be divided into sanitary districts as follows: Each county shall constitute a sanitary district, except that two or more counties may be combined into one sanitary district. Said combination of counties into a joint sanitary district shall be made by the State Board of Health upon the recommendation and consent of the county boards of health of the counties concerned. (Acts 1914, pp. 124, 126; 1931, pp. 7, 11; 1933, p. 7; 1943, pp. 371-385.)

88-303, Georgia Code 1933. **District commissioners; appointment; qualifications; term of office; examination; suspension.**—In every such sanitary district there shall be appointed a district commissioner of health for a term of four years. For a county district the appointing board shall be the county board of health and for districts composed of more than one county the appointing board shall be composed of the boards of health of all the counties composing said district, who shall meet in joint session for said purpose. The district commissioners of health shall be appointed from an eligible list furnished by the Director of the State Board of Health. This list shall contain the names of those who have passed a satisfactory examination in hygiene and sanitation and State health laws, and certain books and reports may be prescribed by the examining board as the basis of such examinations. The Director of the State Board of Health shall, with the aid of a committee from the State Board, examine all applicants for the position of district health commissioner under rules prescribed by the State Board and the provisions of this law; and he shall supervise the work of all district commissioners of health and shall have the authority to suspend such commissioner for incompetency, wilful neglect of duty, immorality, or the commission of a crime involving moral turpitude, with the right of appeal by the party so suspended to the State Board, whose decision shall be final. No person shall be examined except a licensed physician, able-bodied, temperate and of good moral character. The examining board

shall prepare a list of questions on the several subjects upon which the applicants shall be examined and send the same to the county superintendents of schools under whose supervision the examinations shall be held. The applicant shall sign his examination paper by number, and in a sealed envelope accompanying said paper shall give his name and the number he has adopted so that his name shall not be known until after the board of examiners shall have passed upon the question of his admission or rejection. The board of examiners shall prescribe and fix a certain standard percentage for passing such examination: Provided, that each person applying for examination shall be a resident of the State, and shall pay in advance to the Director of the State Board of Health the sum of \$5 as an examination fee. All such fees shall be covered into the general fund. Each person passing such examination shall be entitled to a certificate signed by the Director of the State Board of Health, under the seal of the State Board of Health, which shall be conclusive of the facts stated herein as to such examination and qualifications. The said Director of the State Board of Health shall, as soon as the results of an examination have been arrived at, file a copy thereof in his office showing the persons who have been passed, and at the same time send by mail a complete list of those who have passed to the chairman of each county board of health. Regular examinations shall be held by the board in the months of October and April of each year; and special examinations may be held by the Director of the State Board of Health to fill vacancies and he may issue a certificate which will hold good until the next regular examination. No examination fee shall be required of one holding a temporary certificate, provided same was paid at the time of standing the special examination. (Acts 1914, pp. 124, 127; 1931, pp. 7, 11; 1933, p. 7.) Note: Some provisions of this section changed by an Act establishing a Merit System. See Georgia Laws 1943, pp. 171-177.

88-304, Georgia Code 1933. **Appointment of commissioner; acceptance; oath; bond; salary; vacancy.**—The various appointing boards herein authorized and designated, shall meet quadrennially on the first Thursday in January, to perform the duties herein prescribed. They shall on such day or on any adjourned day when necessary, select from the list of eligible candidates who have passed any of the examinations herein provided for, and appoint a health commissioner for the districts over which jurisdiction is

conferred upon them. Such commissioners shall hold office until their successors are appointed and qualified unless sooner removed, as provided herein. The appointing boards shall fix the salaries of said officers as hereinafter provided. In case a vacancy arises in such office before the expiration of the term, the appointing board for such district shall meet within 10 days thereafter on the call of the chairman of said board or of any two members thereof, and shall fill said vacancy in the same manner as is herein prescribed for regular appointments. Any person so appointed to fill a vacancy shall hold office for the remainder of the term and until his successor is appointed and qualified. Each health commissioner appointed shall file his acceptance and his constitutional oath of office with the ordinary of the county in the county districts and with the ordinary of the county having the larger population in the case of sanitary districts consisting of more than one county. Each commissioner shall be required to give bond in the penal sum of \$1,000 conditioned for the faithful performance of his duties, which bond shall be filed with the same person as prescribed for the filing of the oath of office. Such acceptance, oath of office and bond shall be filed and approved by the person receiving same within 10 days after such appointment shall have been made. (Acts 1914, pp. 124, 128.)

88-305, Georgia Code 1933. **Commissioners' entire time to be given to offices; powers; removal; successor to suspended commissioner.**—Such commissioners shall give their entire time to the duties of their offices and shall not engage in private medical practice or actively in any other line of business. They shall possess the statutory powers of constables within the districts for which appointed in all matters pertaining to public health and in enforcement of the health laws. They are hereby declared to be officers of the State and may be removed for malfeasance, misfeasance, or nonfeasance in office and for incompetency. When a district commissioner of health is suspended by the Director of the State Board of Health, as hereinbefore provided, the appointing board for said district shall appoint a successor to such person until he is restored by law or until his successor is appointed and qualified; and the person so appointed to fill said vacancy shall take the oath and give the bond required by law of the regular incumbent. (Acts 1914, pp. 124, 129; 1931, pp. 7, 11; 1933, p. 7.)

Sections 88-306 and 88-307 of Georgia Code 1933 repealed in 1943 and following section substituted therefor:

Expenses of health department; taxes to meet.—It shall be the duty of the board of health of each county at its June meeting each year or other meetings when necessary to determine and fix the sum of money it deems necessary or expedient for the operation of a department of public health in the county for the ensuing year, and they shall certify to the board of roads and revenues or other proper taxing authorities of the county, and to the mayor and council or other governing body of all cities and towns in the county having a population of more than 20,000 as shown by the most recent decennial United States Census, and to the mayor and council or other governing body of all cities and towns within the county having a population of more than 5,000 and less than 20,000 as shown by the most recent decennial United States Census, which by action of its mayor and council elect to have representation on the county board of health and participate financially in its expenses, the amount so fixed upon and assessed, and the proper taxing authority of the county and each town and city within the county, as above set forth, shall levy a tax rate sufficient to raise its proportional part of the total amount fixed upon and assessed by the county board of health, at the same time and in the same manner as is prescribed for levying taxes for other county or city purposes. The amount so fixed upon and assessed for the support of such county health department shall be borne by the county and its contained cities and towns as may be agreed upon by the county board of health and the taxing authorities of the county and the contained towns and cities except that the principal city having a population of 20,000 or more shall contribute not less than fifty per cent of the health department budget derived from local funds, and that each town or city in the county having a population between 5,000 and 20,000, or secondary city having a population of more than 20,000, electing to have representation on the county board of health, shall contribute not less than \$1,000 per annum. The remainder of the budget derived from local funds shall be paid from county funds. If the said taxing authorities fail to make such levies, then these amounts must be paid out of the fund levied for paying other lawful expenses of the county and city or cities, or the general funds not otherwise appropriated. Said county board of health shall then apply to the Director of the Georgia Department of Public Health for advice and assistance in

establishing and/or maintaining a public health department in and for such county. (Acts 1914, pp. 124, 129, 130; 1943, pp. 371-385.)

88-308, Georgia Code 1933. **Office provided for commissioner.**—Each county shall provide suitable quarters for the district commissioner of health, either in the county courthouse or in rooms rented for such purposes. In sanitary districts composed of more than one county, each county shall provide quarters for said commissioner, but the commissioner may select any one of the county seats for his permanent office, which he may equip out of district funds provided therefor. (Acts 1914, pp. 124, 131.)

88-309, Georgia Code 1933. **Duties of commissioners.**—It shall be the duty of the district commissioners of health to be vigilant and diligent in the work of disease prevention and the conservation of public health, and to enforce all health laws of the State and health ordinances of their respective localities, together with the rules and orders of the State Board of Health. They shall be the executive officers of the county or district departments of public health they are appointed to serve, and in person or through an authorized agent shall make such sanitary inspections and surveys of their districts as may be required from time to time by the State Board of Health or by the county boards of health. They are hereby authorized and invested with the power to enter upon and inspect private property at proper times in regard to the possible presence, source, or cause of disease; to establish quarantine and in connection therewith to order what is reasonable and necessary for the prevention and suppression of disease; and to conduct programs of health education and perform such other duties as may be directed by the State Board of Health or county boards of health for the prevention of diseases and improvement of the health of the people of their county or district. They shall keep, or cause to be kept, a permanent record of all public health work done in their county or counties as may be required by the State Board of Health or the county boards of health, and shall, once each month, make a report of all activities of their departments of public health in narrative and tabulated form, as may be required by the State Board of Health or their county boards of health. (Acts 1914, pp. 124, 131; 1931, pp. 7, 11; 1933, p. 7; 1943, pp. 371-385.)

88-310, Georgia Code 1933. **Powers and duties of commissioner in districts comprising more than one county.**—In sanitary districts

composed of more than one county the district commissioner of health shall have in each county the same power, authority and duties as the commissioner of health in single county sanitary districts. In such districts the commissioner shall divide his time in proper ratio among the counties comprising said district. Every commissioner appointed under the provisions of this law shall at all times keep himself within reach of telephone and telegraph service, where possible, and shall respond without delay to the calls or orders of the Director of the State Board or local boards of health or health officers, when his assistance is required. (Acts 1914, pp. 124, 133.)

Section 88-311, Georgia Code 1933. In conflict with Section 2, Act No. 409, pages 371 and 377, Georgia Laws 1943.

88-312, Georgia Code 1933. **Deputy commissioners and nurses, employment of.**—The county boards of health or district boards of health may employ as many deputy commissioners of health as they may deem necessary to serve the best interests of their counties or districts, and may also employ visiting nurses to aid them in the examination of school children and to instruct parents in matters pertaining to their children, and to perform such other duties as may be required of them by said boards. This section shall be so construed as to allow any county whether in a single county sanitary district or in a joint sanitary district to exercise all the rights and powers granted in this section. (Acts 1914, pp. 124, 133.)

Georgia Laws 1943. **Exempting certain counties.**—Be it further enacted that the provisions of this Act shall not apply to or affect any County having within its limits, in whole or in part, a city with a population of not less than 200,000 inhabitants by the 1940 Census or any future Census, until and unless the Mayor and General Council or other governing body of such city, and the Board of Commissioners of Roads and Revenues or other governing body of the Counties in which such City is located in whole or in part shall by appropriate resolution or ordinance declare this Act to be effective within such Counties. This Act shall not apply to any County in which the County and the principal municipality therein maintain separate health departments, until the County Commissioners or other governing authority of such County and the Mayor and Council or other governing authority of such municipality shall by appropriate resolution signify that said County and

said municipality shall come under the provisions of this Act. (Acts 1943, pp. 371-385.)

MISCELLANEOUS SECTIONS OF GEORGIA CODE OF 1933

32-911, Georgia Code 1933. **Vaccination of pupils of public schools.**—The boards of education of each county and local system may make such regulations as in their judgment shall seem requisite to insure the vaccination of the pupils in their respective schools and may require all scholars or pupils to be vaccinated as a prerequisite to admission to their respective schools. (Acts 1880-1, p. 97; 1919, p. 325.)

32-1802, Georgia Code 1933. **Isolation and quarantine in infectious diseases.**—No parent or householder shall permit infected persons (or persons exposed to infection) to leave, or clothing, bedding, furniture, school books, library books, or other articles likely to convey infection, to be removed from the house until properly disinfected, under the supervision of the local board of health or its proper officer, or where no board exists, by the attending physician, in the manner recommended by the State Board of Health. (Acts 1919, p. 357.) Note: Quarantine regulations omitted here. See "Official Bulletin on Control of Communicable Diseases."

88-417, Georgia Code 1933. **Smallpox; vaccination; compulsory measures.**—All county and municipal authorities shall be authorized and empowered to enact rules, ordinances, or regulations to authorize the proper officials of said municipalities or counties to require, under penalty, all persons at the time located in said municipalities or counties to submit to vaccination, in the event the health officers or the proper authorities think it advisable, for the purpose of preventing the spread of smallpox or any other contagious or infectious disease. (Acts 1897, p. 101.)

88-420, Georgia Code 1933. **Treatment of child to prevent blindness from gonococcus infection.**—It shall be the duty of any person who shall be in attendance on any childbirth to apply to the child such prophylactic treatment as may be prescribed by the State Board of Health to prevent blindness from gonococcus infection. (Acts 1918, p. 255; 1931, pp. 7, 11; 1933, p. 7.)

88-421, Georgia Code 1933. **Report of inflammation of eyes of infants.**—Any person who shall nurse or attend any infant shall report any inflammation of the eyes of said child that shall develop within two weeks after birth to the local health officer or to a licensed physician. (Acts 1918, p. 255.)

105-1101, Georgia Code 1933. **Sale of unwholesome provisions.**—Any person who knowingly or carelessly sells to another unwholesome provisions of any kind, the defect being unknown to the purchaser, by the use of which damage results to the purchaser or his family, shall be liable in damages for such injury.

105-1102, Georgia Code 1933. **Sale of adulterated drugs or liquors.**—Any person who, knowingly or carelessly, by himself or his agents, sells to another adulterated drugs or liquors, by the use of which damage accrues to the purchaser, his patients or his family, or his property, shall be liable in damages for the injury done.

105-1103, Georgia Code 1933. **Furnishing wrong article or medicine by vendor of drugs and medicines.**—If a vender of drugs and medicines, by himself or his agent, either knowingly or negligently shall furnish the wrong article or medicine, and damage shall accrue from the use of the drug or medicine furnished, to the purchaser, his patients or his family, or his property, the vender shall be liable for the injury done.

105-1104, Georgia Code 1933. **Right of action in widow and children in case of death.**—If death shall ensue as a result of any injury or damage, in any case arising under the provisions of the three foregoing sections, the right of action for such death shall survive as provided in Chapter 105-13.

CONTROL OF VENEREAL DISEASES

VENEREAL DISEASES

88-501, Georgia Code 1933. **Syphilis, gonorrhea and chancroid declared contagious and infectious; unlawful exposure.**—Syphilis, gonorrhea and chancroid, hereinafter designated as venereal diseases, are hereby declared to be contagious, infectious, communicable and dangerous to the public health. It shall be unlawful for any one infected with these diseases, or any of them, to expose another to infection. (Acts 1918, p. 275.)

88-502, Georgia Code 1933. **Report of cases of venereal diseases to health authorities.**—Any physician or other person who makes a diagnosis in or treats a case of venereal disease, and any superintendent or manager of a hospital, dispensary or charitable or penal institution in which there is a case of venereal disease, shall make report of such case to the health authorities, according to such form and manner as the State Board of Health shall direct. (Acts 1918, p. 276; 1931, pp. 7, 11; 1933, p. 7.)

88-503, Georgia Code 1933. **Examination, treatment, and isolation of persons infected.**—State, county and municipal health officers or their authorized deputies within their respective jurisdictions are hereby directed and empowered, when in their judgment it is necessary to protect the public health to make examination of persons infected or suspected of being infected with venereal diseases, to require persons infected with venereal disease to report for treatment to a reputable physician and continue treatment until cured or to submit to treatment provided at public expense, and to isolate persons infected or reasonably suspected of being infected with venereal disease. (Acts 1918, p. 276.)

88-504, Georgia Code 1933. **Treatment of prisoners; hospitals; report to physicians for treatment.**—All persons who shall be confined or imprisoned in any State, county or city prison may be examined and treated for venereal disease by the health authorities or their deputies. The State, county and municipal boards of health shall have authority to take over such portion of any State, county or city prison as may be necessary for a board of health hospital, wherein all persons who shall have been confined or imprisoned and who are suffering with venereal disease at the time of the expiration of their terms of imprisonment shall be isolated and treated at public expense until cured, or in lieu of such isola-

tion, such person may, in the discretion of the Board of Health, be required to report for treatment to a licensed physician or submit to treatment provided at public expense as provided in section 88-503. (Acts 1918, p. 276; 1931, pp. 7, 11; 1933, p. 7.)

88-505, Georgia Code 1933. **Rules and regulations authorized.**—The State Board of Health is hereby empowered and directed to make such rules and regulations as shall, in its judgment, be necessary for the carrying out of the purposes of this law, including rules and regulations provided for such labor on the part of isolated persons as may be necessary to provide in whole or in part for their subsistence, and to safeguard their general health, and such other rules and regulations concerning venereal diseases as it may from time to time deem advisable. All such rules and regulations so made shall be of force and binding upon all county and municipal health officers and other persons affected by this law. (Acts 1918, p. 277; 1931, pp. 7, 11; 1933, p. 7.) Note: See Section 88-9901, pages 67, 69 and 72 of this bulletin, for penalty.

RULES AND REGULATIONS OF STATE BOARD OF HEALTH FOR CONTROL OF VENEREAL DISEASES

Under authority of section 88-505 the State Board of Health has adopted, in addition to the enacted laws, the following rules and regulations:

Rule 1. Venereal diseases to be reported.—Any physician or other person who makes a diagnosis in, or treats, a case of syphilis, gonorrhea, or chancroid, and every superintendent or manager of a hospital, dispensary, or charitable or penal institution, in which there is a case of venereal disease, shall report such case immediately in writing to the local health officer, stating the name and address or the office number, age, sex, color, and occupation, of the diseased person, and the date of onset of the disease, and the probable source of the infection, provided, that the name and address of the diseased person need not be stated except as hereinafter specifically required. The report shall be sent to the local health officer, who shall report weekly on the prescribed form to the State Board of Health all cases reported to him. In case there is no local health officer, the report shall be made to the county or city board of health. If there is no organized, active board of health, then the report shall be immediately made direct to the

Georgia Department of Public Health, State Capitol, Atlanta, Georgia.

Rule 2. Patients to be given information.—It shall be the duty of every physician and of every other person who examines or treats a person having syphilis, gonorrhea, or chancroid, to instruct him in measures for preventing the spread of such disease, and inform him of the necessity for treatment until cured, and to hand him a copy of the circular of information obtainable for this purpose from the State Board of Health.

Rule 3. Investigation of cases.—All city, county, and other local health officers shall use every available means to ascertain the existence of and to investigate all cases of syphilis, gonorrhea, and chancroid within their several territorial jurisdictions, and to ascertain the sources of such infections. Local health officers are hereby empowered and directed to make such examinations of persons reasonably suspected of having syphilis, gonorrhea, or chancroid, as may be necessary for carrying out these regulations. Owing to the prevalence of such diseases among prostitutes and persons associated with them, all such persons are to be considered within the above class.

Rule 4. Protection of others from infection by venereally diseased persons.—Upon receipt of a report of a case of venereal disease it shall be the duty of the local health officer to institute measures for the protection of other persons from infection by such venereally diseased person.

Local health officers are authorized and directed to quarantine persons who have, or are reasonably suspected of having syphilis, gonorrhea, or chancroid, whenever, in the opinion of said local health officer, or the State Board of Health, or its secretary, quarantine is necessary for the protection of the public health. In establishing quarantine the health officer shall designate and define the limits of the area in which the person known to have, or reasonably suspected of having syphilis, gonorrhea or chancroid, and his immediate attendant are to be quarantined and no persons other than the attending physicians shall enter or leave the area of quarantine without the permission of the local health officer.

Taking Over State and County Prisons

Whenever it is necessary for a place of detention to be provided as stated in Section 4 of the Venereal Disease Act of 1918, notice shall be given by the State Board of Health or a deputy of the State Board of Health, county or municipality, either verbally or in writing, to the proper official in charge of such prison as mentioned in the Act and section, and they, the keeper, warden, guards or any one in charge is enjoined to give to such person or persons under detention the care and treatment as outlined to them by the Board of Health or its deputies under whose jurisdiction the same may be.

Providing for Labor

The Venereal Disease Law, Section 5, provides that persons confined for treatment shall labor and provide for at least "in part for their subsistence and to safeguard their general health".

The State Board of Health realizes it cannot definitely define rules to cover individual cases, and for this reason hereby confers on its deputies, to-wit: county boards of health, city or municipal boards of health, officers of United States Public Health Service, and all others who have charge of such patients, the authority to pass such rules and regulations as may meet the individual, community or case requirements, providing the same are in conformity to the ability of the individual and the needs for maintaining health and rapid alleviation of venereal disease. The rules so passed should have the approval of the physician in charge.

No one but the local health officer shall terminate said quarantine, and this shall not be done until the diseased person has become non-infectious, as determined by the local health officer or his authorized deputy through clinical examination, and all necessary laboratory tests made by the bacteriologist of the State Board of Health or his deputy. This laboratory shall be and is the only and final place of resort, or until permission has been given him so to do by the State Board of Health or its secretary.

Authorized Deputy

An authorized deputy of the State Board of Health as mentioned in the Venereal Disease Act of 1918 is defined to be and the following are deputies:

All members of the Georgia State Board of Health, local boards of health, both county and municipal, all physicians who are legally appointed by the State Board of Health, county or municipal boards of health, all physicians now acting for and by authority of appointment by the United States Public Health Service now in the State or who may hereafter be appointed or be assigned to our State, and all others who may be specially appointed by this board. It is prohibited that any deputy appointed under this rule other than a legally licensed physician shall make a physical examination of the body of any person for the diagnosis or treatment of venereal diseases.

The power of removal of deputies shall be in this board without recourse.

Right of Appeal

The right of one held for venereal disease in quarantine in this state to an additional examination to clear up any doubt that might be raised or be made, will be granted when appeal is made to the local board of health. This appeal shall be made in writing by the aggrieved and addressed to the chairman of the local board of health in the county, city, or municipality in which the infected one is being held. When such appeal has been received, the local board of health shall appoint a disinterested physician at the expense of the appellant, or in case the appellant is not able to employ a physician and will so testify, the local board shall request the county physician to act for the aggrieved patient in company with the physician who has the appellant in charge and who made the diagnosis in the case, or when this is not practical, the physician who made the original diagnosis may select some other physician and appoint him as his deputy to go with the physician selected by the board. The physician who has been chosen by the local board shall visit the patient at such time as a fair and impartial examination can be made, not immediately after treatment has been administered, and shall make his own smear for gonorrhea and take his own specimen of blood for Wassermann, taking personal charge of the specimen until he has brought or sent same to the State Board of Health laboratory, making all physical examinations and writing out the clinical symptoms as he finds them, and let them and his diagnosis accompany the specimen sent in. The local health officer shall do the same, taking specimen at the same time. The two physicians shall mark the specimens with the same symbol or name

that confusion may not arise. The findings of the laboratory shall be transmitted as quickly as possible to both the physicians and also the prison warden, or the officer in charge of the quarantined one.

The local health officer shall inform all persons who are about to be released from quarantine for venereal disease, in case they are not cured, what further treatment should be taken to complete their cure. Any person not cured before release from quarantine shall be required to sign the following statement after the blank spaces have been filled to the satisfaction of the health officer:

I, _____, residing at _____, hereby acknowledge the fact that I am at this time infected with _____, and agree to place myself under the medical care of _____

(Name of physician or clinic)

_____ within _____ hours, and that I
Address

will remain under treatment of said physician or clinic until released by the health officer of _____, or until my case is transferred with the approval of said health officer to another regularly licensed physician or an approved clinic.

I hereby agree to report to the health officer within four days after beginning treatment as above agreed, and will bring with me a statement from the above physician or clinic of the medical treatment applied in my case, and thereafter will report as often as may be demanded of me by the health officer.

I agree, further, that I will take all precautions recommended by the health officer to prevent the spread of the above disease to other persons, and that I will not perform any act which would expose other persons to the above disease.

I agree, until finally released by the health officer, to notify him of any change of address and to obtain his consent before moving my abode outside his jurisdiction.

Signature

Date

All persons signing the above agreement shall observe its provisions, and any failure to do so shall be a violation of these regulations. All such agreements shall be filed with the health officer and kept inaccessible to the public as provided in Rule 10.

FORM TO BE USED FOR RELEASE FROM QUARANTINE

This is to certify that _____ has this day been discharged from quarantine, ill of venereal disease, not cured, but sufficiently improved as not to be dangerous to the public health so long as the instructions given the patient are obeyed. Should these instructions be disobeyed, the patient agrees to return to quarantine without resistance or any formality being taken, this liberty being allowed as a period of probation.

(Signed) _____ M. D.

Rule 5. Conditions under which the name of a patient is required to be reported.—(a) When a person applies to a physician or other person for the diagnosis or treatment of syphilis, gonorrhea, or chancroid, it shall be the duty of the physician or person so consulted to inquire of and ascertain from the person seeking such diagnosis or treatment whether such person has theretofore consulted with or has been treated by any other physician or person and, if so, to ascertain the name and address of the physician or person last consulted. It shall be the duty of the applicant for diagnosis or treatment to furnish this information, and a refusal to do so or a falsification of the name and address of such physician or person consulted by such applicant shall be deemed a violation of these regulations. It shall be the duty of the physician or other person whom the applicant consults to notify the physician or other person last consulted of the change of advisers. Should the physician or person previously consulted fail to receive such notice within 10 days after the last date upon which the patient was instructed by him to appear, it shall be the duty of such physician or person to report to the local health officer the name and address of such venereally diseased person.

(b) If an attending physician or other person knows or has good reason to suspect that a person having syphilis, gonorrhea, or chancroid is so conducting himself or herself as to expose other

persons to infection, or is about so to conduct himself or herself, he shall notify the local health officer of the name and address of the diseased person and the essential facts in the case.

Rule 6. Druggists forbidden to prescribe for venereal diseases.—No druggist or other person not a physician licensed under the laws of the State shall prescribe or recommend to any person any drugs, medicines, or other substances to be used for the cure or alleviation of gonorrhea, syphilis, or chancroid, or shall compound any drugs or medicines for said purpose from any written formula or order not written for the person for whom the drugs or medicines are compounded and not signed by a physician licensed under the laws of the State.

Rule 7. Spread of venereal disease unlawful.—It shall be a violation of these regulations for any infected person knowingly to expose another person to infection with any of the said venereal diseases or for any person to perform an act which exposes another person to infection with venereal disease.

Rule 8. Prostitution to be repressed.—Prostitution is hereby declared to be a prolific source of syphilis, gonorrhea, and chancroid. and the repression of prostitution is declared to be a public health measure. All local and State health officers are therefore directed to cooperate with the proper officials whose duty it is to enforce laws directed against prostitution and otherwise to use every proper means for the repression of prostitution.

Rule 9. Giving certificates of freedom from venereal diseases prohibited.—Physicians, health officers, and all other persons are prohibited from issuing certificates of freedom from venereal disease, provided this rule shall not prevent the issuance of necessary statements of freedom from infectious diseases written in such form or given under such safeguards that their use in solicitation for sexual intercourse would be impossible.

Rule 10. Records to be secret.—All information and reports concerning persons infected with venereal diseases shall be inaccessible to the public except in so far as publicity may attend the performance of the duties imposed by these regulations and by the laws of the State.

Rule 11. Violation to advertise.—It shall be a violation for one to advertise by posting, writing, printing, displaying or giving in

any manner, publicity to the sale in papers, magazines, periodicals, public places, show windows, or in toilets, privies or places used for urinals or any other place or manner any remedy or device for the supposed cure or alleviation of either or of all venereal diseases.

Adopted by the State Board of Health January 14, 1919, and amended March 16, 1938.

REGULATIONS FOR DISTRIBUTION OF FREE DRUGS FOR VENEREAL DISEASE

I. Free drugs for venereal disease will be distributed to clinics and to private physicians for the treatment of individuals.

II. To obtain free drugs, the physician must report the case and sign the order, giving the patient's name, address, age, color, sex, and marital status, and stating whether in the infectious stage or not. In the counties having a full-time health department these reports are to be sent to the county commissioner of health. The commissioner of health shall send a copy to the State Department of Public Health. The county commissioner of health shall keep on hand a reasonable supply of drugs furnished by the State Department of Public Health, and he shall supply the physician and clinics in his county with these drugs in accordance with the plan outlined below. In cities operating full-time health departments separate from the county, the city health officer shall receive the reports and dispense the drugs. In counties and cities not having full-time health departments, reports are to be sent to and drugs obtained from the State Department of Public Health, Atlanta, in accordance with the plan outlined below.

III. When the required report of a case as outlined above has been received by the department of health, a supply of arsenicals and bismuth will be forwarded. The initial shipment will consist of ten doses of arsenical and a supply of bismuth (if requested). When the patient has received the ten doses of arsenical and ten doses of bismuth, the physician must request another supply of drugs, stating the progress of the case and whether or not the patient is cooperating. The supply of drugs will be sent on receipt of this information. Additional drugs may be received in a like manner.

IV. The physician requesting free drugs should if possible get the history of all contacts of infectious cases and urge such con-

tacts to be examined, or report them to the proper authorities for follow-up and quarantine, if necessary.

V. In the event any patient receiving free drugs as provided herein should stop treatment before completing the prescribed course, the physician should report such delinquent to the county board of health, or if there is no active board, to the State Department of Public Health, Atlanta, Georgia. In case a patient stops treatment and moves from this State to another or from one county to another, this individual should be reported as a delinquent unless the patient secures a permit of transfer from the physician in charge of his case to another physician or clinic. Notification of such transfer or change of address should be given the department of health.

VI. Local expenditures of the clinics shall not be replaced or curtailed by their receiving free drugs for the treatment of venereal disease provided by the State, but the local funds now being spent shall be expended to increase the efficiency of the services rendered by the clinics and to provide follow-up of infectious and delinquent cases.

VII. The minimal clinic requirements for obtaining drugs will be:

- (1) A physician licensed to practice medicine in the State of Georgia must have charge of each clinic.

- (2) The clinic must be located so as to have adequate space for the segregation of races, and of sex if possible.

- (3) The clinic must be equipped with running water, sterilizer, and adequate supply of needles and syringes for the various drugs used.

- (4) The clinic must have the necessary equipment for testing the urine for albumin by one of the recognized tests.

- (5) The patient must be referred to the clinic, in writing, by a physician.

- (6) The standard treatment record card furnished by the Georgia Department of Public Health must be completely filled out, giving the complete history of the patient's condition and indicating whether infectious or non-infectious.

- (7) All delinquent cases that are infectious or early cases must be followed up and required to continue treatment.

(8) Follow-up and examination of all contacts made by these infectious cases must be required.

(9) Before the 5th of each month the clinic must submit to the State Department of Public Health a monthly report of the activities for the preceding month.

VIII. All rules and regulations appertaining to the venereal diseases, adopted by the State Board of Health, is the law of Georgia and consequently applies to all physicians and boards of health.

Adopted by the State Board of Health, September 28, 1938.

**DECLARATION BY THE GEORGIA STATE BOARD OF HEALTH
OF A QUARANTINE AND PROMULGATION OF RULES
FOR ITS ENFORCEMENT**

WHEREAS, There is now prevalent in the State of Georgia an epidemic of venereal diseases, of such proportions and widespread nature that it is a menace to the public health and safety, and is a threat and deterrent to an all-out war effort, in that many men and women, both in the armed forces and engaged in defense work, are afflicted with these diseases, or exposed to their infection or contagion; and

WHEREAS, The Federal Congress, by annual appropriations, has provided funds to aid the States, counties, health districts and other political subdivisions in establishing and maintaining measures for the prevention, treatment and control of venereal diseases, and

WHEREAS, The State Board of Health is vested by law with supreme authority in matters of quarantine, and the power to declare and enforce quarantine rules and regulations; and

WHEREAS, syphilis, gonorrhea and chancroid have been declared, as matter of law, to be contagious, infectious and communicable and dangerous to the public health, and such diseases are, as a matter of fact, contagious, infectious and communicable;

NOW THEREFORE, in view of the foregoing, the State Board of Health does hereby declare a quarantine upon all persons suffering with any venereal disease, as well as all persons who have been directly exposed to the same. The boundaries of this quarantine shall coincide with the State of Georgia and it shall be

enforced according to the following rules and regulations which are hereby promulgated and put in force by the State Board of Health:

Rule 1. Venereally diseased persons entering State. Every person coming into this State while having or being infected with any venereal disease, whether in a contagious or non-contagious state or condition, shall, within twenty-four hours after his arrival in this State, report to a licensed physician for treatment. If such person shall have previously been under the treatment of a licensed physician of another State or territory of the United States, or foreign country, he or she shall present to the physician in this State to whom he or she reports for treatment, a statement from the physician under whose care he or she formerly was, showing the treatments given and whether such disease is still in a contagious state or condition. Should any such person fail to report for treatment or fail to present the statement from his former physician, he or she shall, upon being found in this State, be immediately quarantined and examined by the authorized authorities, and if the venereal disease with which such person is suffering is in a contagious state, then such person shall be sent to an isolation post or hospital designated by the State Board of Health.

Rule 2. Duty of physicians to report. It shall be the duty of every licensed physician in this State who shall diagnose any person as having any venereal disease in this State to immediately report such fact and the name and address of such person to the State Board of Health. If such person is one who is a prostitute, or one who has no visible means of support, or one who is unable to pay for or arrange for the treatment of such disease by a private physician until cured or made non-contagious, then the State Board of Health, through its authorized agents or employees, shall take custody of such person and transport him or her to an isolation post or hospital as designated in the manner provided in this regulation, and treatment shall be administered to such person at public expense.

Rule 3. Duty of detention officers to report. Any arresting officer, warden or jailer of this State who shall arrest or have in his custody any person reasonably suspected of having any venereal disease, or any prostitute, shall immediately report the name and place of detention of such person to the State Board of Health. Any duly authorized agent of the State Board of Health, or district, or

county or municipal board of health or county physician or municipal physician shall, with the consent of the authorized physician, if any, in charge of the place of detention of such person, have the right to have such person examined to determine if he or she is suffering with any venereal disease. If any such person shall be found to have any venereal disease in a stage or condition which is contagious or unsafe for the public health and without provision for immediate treatment therefor by a licensed physician, upon his or her release from such arrest or custody, such person shall immediately and forthwith be delivered to a duly authorized agent of the State Board of Health, or county or city board of health, who is authorized and directed to transport such person (after he or she shall have served any sentence imposed upon such person for the offense or crime for which he or she was arrested) to an isolation post or hospital designated for the treatment of such venereal cases by the State Board of Health.

Rule 4. Isolation and quarantine under certain conditions. When any public health officer, State, county or municipal, shall diagnose any person as being infected with a venereal disease in a contagious state, and such person so infected is not then under treatment therefor by a licensed physician, or such person so infected does not have or cannot obtain means with which to provide for his or her own treatment, such public health officer shall immediately report to the State Board of Health the name and address of such person, and the State Board of Health shall designate some agent or employee of the State, county or municipal government to transport such person to some designated isolation post or hospital for treatment. The designation or establishment by the State Board of Health of isolation posts or hospitals for detention and/or treatment of venereal cases shall be with the concurrence of the ordinary or county commissioners in charge of county property in which such isolation post or hospital is located, provided, however, the State Board of Health may also designate any Federal isolation post, detention hospital or hospital in this State authorized to accept venereal cases for quarantine and treatment of venereal cases under this regulation when such Federal facility shall consent to accept such designation.

Rule 5. Transportation provided for. Transportation of persons provided for in this regulation to an isolation post or hospital

for detention and/or treatment of venereal diseases shall be arranged and provided by the State Board of Health.

Rule 6. Conditions of release from quarantine. All persons who shall be placed in an isolation post or hospital for the treatment of venereal diseases as provided in this regulation shall remain at such place until the licensed physician in charge or other licensed physician under him shall have diagnosed such case as safe for release from such isolation post or hospital. Such person shall submit to all treatments required in order to make such diseases non-contagious or to cure the same.

Rule 7. Visits to isolated persons restricted. No person of the opposite sex, other than the wife, father or mother of any such person, may visit a person in an isolation post or hospital provided for the detention and/or treatments of venereal diseases as specified in this regulation while such patient is suffering with a venereal disease in a contagious stage, and such wife, mother or father of the person so isolated may only visit such a patient with the written permission of the licensed physician or officer or employee of the State Board of Health in charge of such isolation. All such visits must be during daylight and shall last for only such time and under such conditions as the person in charge of the isolation post shall grant.

Rule 8. Detention and transportation by authorized persons. For the purpose of enforcing this regulation, all officers, agents and employees of any duly established board of health, whether it be a State, county, municipal, district or other political subdivision board of health, shall have the power to detain any person having or being infected with a venereal disease in a contagious state who is not then being provided with medical treatment therefor, or who does not have the means with which to provide such care; and all such officers, agents or employees are likewise authorized to transport such persons to and from such isolation post as the State Board of Health shall designate.

Rule 9. Name and location of places of detention to be announced. The State Board of Health shall from time to time, announce the name and location of each isolation post, detention hospital or hospital designated, or established or maintained for the detention and/or treatment of persons who are subject to the provisions of this regulation.

Rule 10. **Penalty.** Any person who shall violate any of the provisions of this regulation shall be guilty of a misdemeanor and shall, upon conviction, be punished as for a misdemeanor.

Rule 11. **Transportation from place of detention.** The State Board of Health shall, as to persons who are detained and treated under the provisions of this regulation and who are indigent, after such person is cured of such venereal disease or after the same is rendered non-contagious by treatment and it is safe to turn him or her back upon society, provide for the transportation of such person from the place of detention to the place where he or she was arrested, or to any other place within this State where said person shall desire to return.

Adopted by the State Board of Health October 15, 1942, and amended March 18, 1943.

COOPERATION IN VENEREAL DISEASE CONTROL HOUSE RESOLUTION NO. 42

Whereas, The Citizens of the State of Georgia are vitally interested in doing everything within their power to prevent the spread of venereal diseases in this State and to reduce said diseases to a minimum, and

Whereas, It is a well-known fact that at the present time such diseases are advancing at an alarming rate and are apparently not being checked effectively, and,

Whereas, The medical officers of the United States Army and Navy have reported that prostitution in areas around army camps in this State is flourishing and that as a result the men of our armed forces are becoming infected with these diseases at an increased rate;

Now, therefore, be it Resolved by the House of Representatives, the Senate concurring, that all citizens of this State cooperate whole-heartedly with the law enforcement officers and the judiciary in a determined effort to control this situation and thereby reduce the spread of venereal diseases in this State.

Be it further Resolved that our law enforcement officers and the courts of this State cooperate with the medical authorities in planning a program designed to abate the spread of these diseases and to reduce same to a minimum.

Be it further Resolved that the courts of this State, in dealing with prostitutes and persons infected with these diseases cooperate with the medical authorities to the end that the spread of these diseases may be stopped and prostitution discouraged.

Be it further Resolved that all law enforcement agencies of this State and all courts having jurisdiction of these matters shall give particular attention to cases involving juveniles, and their juvenile delinquents be segregated from the professional prostitutes and that said juveniles not be handled through the customary procedure covering the disposition of cases involving the professional prostitutes.

(Acts 1943, pp. 1678, 1679.)

Georgia Laws 1943. Syphilis—Blood Test during Pregnancy Required.

Section 1. **Blood specimen.**—That every woman who becomes pregnant shall have a blood specimen taken for submission to an approved laboratory for a standard serologic test for syphilis.

Section 2. **Attending physician's duty.**—That any licensed physician, attending or giving prenatal care to a pregnant women in this State, shall take or cause to be taken a specimen of blood of each woman so attended within thirty (30) days from the date of the first examination for submission to an approved laboratory for a standard serologic test for syphilis. In case such pregnant woman is in a state of labor at the first examination which may make it inadvisable to obtain a blood specimen, then the specimen shall be obtained within ten (10) days after delivery. Provided no doctor or person taking such test shall charge more than one dollar therefor.

Midwives. Each other person in the State who is permitted by law to attend pregnant women, but not permitted by law to obtain blood specimens, shall cause such a specimen of blood to be taken within thirty (30) days from the date of the first examination of each woman so attended, by a qualified and licensed physician, for submission to an approved laboratory for a standard serologic test for syphilis.

Section 3. **Standard serologic test.**—For the purpose of this act a standard serologic test shall be a test for syphilis approved

by the Georgia Department of Public Health, and an approved laboratory shall be any laboratory approved by the Georgia Department of Public Health.

Section 4. Charity cases.—That any woman who is pregnant and who is unable to pay a licensed physician to take a blood test, as required by this Act, may have such a blood specimen taken by the local health department or the county physician for submission to an approved laboratory for a standard serologic test for syphilis.

Section 5. Birth certificate to show test.—That physician, and other persons permitted by law to attend pregnant women and who are required to report births and still-births, shall state on the birth certificate whether a blood test for syphilis, as required by this Act, had been made on the woman who bore the child for which a birth certificate is filed, and shall state the approximate date of such test, provided that no birth certificate shall show result of test. If no such blood test was made, reasons for failure to make test shall be stated.

Section 6. Violation a misdemeanor.—That any licensed physician, attending midwife, county health officer, county physician, or the pregnant woman herself, or any other person who knowingly and wilfully violates this Act, or any part thereof, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished as for a misdemeanor. (Acts 1943, pp. 599-601.)

Georgia Laws 1943. Prostitutes and Prostitution.

Section 1. Acts prohibited; Punishment for violation.—That any person who shall receive or offer or agree to receive another into any house, place, building, tourist camp, or other structure, or vehicle, trailer, or other conveyance for the purpose of prostitution or assignation, or to permit any person to remain there for such purpose; or who shall knowingly own any place, house, tourist camp, other structure, or part thereof, or trailer or other conveyance used for the purpose of prostitution or assignation, or who shall let, sublet, or rent any such place, premises, or conveyance to another with knowledge or good reason to know of the intention of the leasee or rentee to use such place, premises, or conveyance for prostitution, or who shall engage in prostitution or assignation; or who shall reside in, enter, or remain in any house, place, building,

tourist camp, or other structure, or enter or remain in any vehicle, trailer, or other conveyance for the purpose of prostitution or assignation; or who shall aid, abet, or participate in the doing of any of the acts herein prohibited, shall, upon conviction for the first offense and/or second offense under this Act, be punished as for a misdemeanor and upon conviction for any subsequent offense under this Act shall be punished as for a felony and by imprisonment for not less than one year nor more than three years.

Section 2. Acts prohibited; Punishment for violation.—That any person who shall cause, induce, persuade, encourage, or procure by promise, threat, violence, or by any scheme or device, a female to become a prostitute or to become or remain an inmate of a house of prostitution; or who shall induce, persuade, or encourage a female to come into or leave this State for the purpose of prostitution, or to become an inmate in a house of prostitution; or who shall receive or give, or agree to receive or give any money or thing of value for procuring, or attempting to procure any female to become a prostitute or an inmate for a house of prostitution; or who shall knowingly accept, receive, levy, or appropriate any money or other thing of value without consideration from a prostitute or from the proceeds of any woman engaged in prostitution; or who shall aid, abet, or participate in the doing of any acts herein prohibited, shall, upon conviction for the first offense under this Act, be punished as for a misdemeanor and upon conviction for any subsequent offense under this Act shall be punished as for a felony by imprisonment in the penitentiary for a period of not less than one year nor more than three years.

Section 3. Terms defined.—That all leases and agreements, for letting, subletting, or renting any house, place, building, tourist camp, or other structure, for the purpose of prostitution or assignation, shall be void. The term "tourist camp" shall be construed to include any temporary or permanent building, tents, cabins, or structures, or trailers, or other vehicles which are maintained, offered, or used for dwelling or sleeping quarters for pay. The term "prostitution" as used in this Act shall be construed to include the offering or giving of the body for sexual intercourse, sex perversion, obscenity and/or lewdness for hire. That the term "assignation" shall be construed to include the making of any appointment or engagement for prostitution or any act in furtherance of such appointment or engagement.

Section 4. **Reputation as evidence.**—That in the trial of any person, charged with a violation of any of the provisions of this Act, testimony concerning the reputation or character of any house, place, building, tourist camp, or other structure, and of the person or persons who reside in or frequent same, and of the defendant or defendants, shall be admissible in evidence in support of a charge under this Act. (Acts 1943, pp. 568-571.)

VITAL STATISTICS

VITAL STATISTICS

88-1101, Georgia Code 1933. **State Board of Health to supervise.**—The State Board of Health shall have charge of the registration of births and deaths in this State; shall prepare the necessary instructions, forms, and blanks for obtaining and preserving such records, and shall procure the faithful registration of same in each primary registration district as constituted in section 88-1103, ¶ 3 and in the central bureau of vital statistics at the capitol. The said Board shall be charged with the uniform and through enforcement of this law throughout the State, and shall from time to time recommend any additional legislation that may be necessary for this purpose. (Acts 1927, p. 353.)

88-1102, Georgia Code 1933. **Bureau of Vital Statistics; establishment; supervision; offices; equipment; assistants.**—The Director of the State Board of Health shall have general supervision over the central Bureau of Vital Statistics, which is hereby authorized to be established by said Board, and which shall be under the immediate direction of such Board. The State Board of Health shall provide for such clerical and other assistants as may be necessary for the purpose of this law who shall serve during the pleasure of the Board. The compensation of said assistants shall be paid by the said Board out of the funds appropriated by the General Assembly for the maintenance of the State Board of Health. The custodian of the capitol shall provide for the Bureau of Vital Statistics, at the State capitol, suitable offices, which shall be properly equipped with fireproof vaults and filing cases for the permanent and safe preservation of all official records provided for by this Chapter. (Acts 1927, p. 354; 1931, pp. 7, 11; 1933, pp. 7, 12.)

88-1103, Georgia Code 1933. **Registration districts.**—The State shall be divided into registration districts as follows: Each city, each incorporated town, and each militia district or part thereof outside of a city or incorporated town shall constitute a primary registration district. The State Board of Health may combine two or more primary registration districts into one district, or may establish additional districts by dividing a primary registration district into two or more districts, when necessary to facilitate registration. (Acts 1927, p. 354; 1931, pp. 7, 11; 1933, p. 7.)

88-1104, Georgia Code 1933. **Local registrars; appointment; deputies; removal.**—In each city the city clerk, and in each incor-

porated town the town clerk, and in each militia district or part thereof outside of a city or of an incorporated town the justice of the peace therefor, or, if there is no justice of the peace, the notary public and ex-officio justice of the peace thereof, shall be the local registrar of vital statistics, except where another person has been appointed as such registrar by the State Board of Health, the said Board being hereby authorized to appoint the local registrars in any and all registration districts, in their discretion. Each local registrar shall appoint a deputy registrar, who shall serve as registrar when the local registrar is not immediately accessible for the purpose of registration or the issuance of certificates or permits as required by this law; and should the local registrar and his deputy both be absent from their registration district, the duties of the local registrar of that district may be performed by the local registrar of any adjoining district in the same county; and in such cases the registrar acting in the absence of the local registrar shall note on each certificate issued by him the date of filing, and shall forward the certificate in 10 days, and in all cases before the third day of the following month, to the local registrar in whose place he has acted. Any local registrar or deputy registrar who, in the judgment of the State Board of Health, fails to make a proper and complete return of births and deaths, or to discharge any of his other duties as prescribed by this Chapter, may be summarily removed by said Board, and he shall be subject to such penalties as are provided for such officers under section 88-9929. (Acts 1927, p. 355; 1931, pp. 7, 11; 1933, p. 7.)

88-1201, Georgia Code 1933. Registration of births, requirement.—The birth of each and every child born in this State shall be registered as hereinafter provided. (Acts 1927, p. 361.)

88-1202. Georgia Code 1933. Filing certificate of birth.—Within 10 days after the date of each birth, there shall be filed with the local registrar of the district in which the birth occurred a certificate of such birth, which certificate shall be upon the form adopted by the State Board of Health, with a view to procuring a full and accurate report with respect to each item of information enumerated in section 88-1203. In each case where a physician or midwife, or person acting as a midwife, was in attendance upon the birth, it shall be the duty of such person to file in accordance herewith the certificate herein contemplated. In

each case where there was no physician or midwife, or person acting as midwife, in attendance upon the birth, it shall be the duty of the father or mother of the child, or the householder or the owner of the premises where the birth occurred, having knowledge of such birth, or the manager or superintendent of the public or private institution where the birth occurred, each in the order named, within 10 days after the date of such birth, to report to the local registrar the fact of such birth. In such case, and in case the physician or midwife, or person acting as midwife, in attendance upon the birth, is unable, by diligent inquiry, to obtain any item or items of information contemplated in section 88-1203, it shall be the duty of the local registrar to secure from the person so reporting, or from any other person having the required knowledge, such information as will enable him to prepare the certificate of birth herein contemplated, and it shall be the duty of the person reporting the birth, or who may be interrogated in relation thereto, to answer correctly and to the best of his knowledge all questions put to him by the local registrar which may be calculated to elicit any information needed to make a complete record of the birth as contemplated by section 88-1203, and it shall be the duty of the informant, in any statement made in accordance herewith, to verify such statement by his signature when requested so to do by the local registrar. (Acts 1927, p. 361; 1931, pp. 7, 11; 1933, pp. 7, 12.)

88-1203, Georgia Code 1933. What birth certificate shall contain.—The certificate of birth shall contain the following items, and such other items as are deemed necessary for the legal, social, and sanitary purposes subserved by registration records:

- (1) Place of birth, including State, county, incorporated town, village, or city; if in a city, the ward, street, and house number; if in a hospital or other institution, the name of the same to be given instead of the street and house number.
- (2) Full name of child. If the child dies without a name, before the certificate is filed, enter the words "died unnamed." If the living child has not yet been named at the date of filing certificate of birth, the space for full name of child is to be left blank, to be filled out subsequently by a supplemental report, as hereinafter provided.
- (3) Sex of child.
- (4) Whether a twin, triplet, or other plural birth. A separate certificate shall be required for each child in case of plural births.
- (5) For plural births, number of each child in order of birth.

(6) Whether legitimate or illegitimate. (7) Date of birth, including year, month, and day. (8) Full name of father: Provided that if the child is illegitimate, the name of the putative father shall not be entered without his consent, but the other particulars relating to the putative father (items 9 to 13) may be entered if known, otherwise as "unknown." (9) Residence of father. (10) Color or race of father. (11) Age of father at last birthday, in years. (12) Birthplace of father, at least State or foreign Country, if known. (13) Occupation of father, occupation to be reported if engaged in any remunerative employment, with the statement of (a) trade, profession, or particular kind of work; (b) general nature of industry, business, or establishment in which employed (or employer). (14) Maiden name of mother. (15) Residence of mother. (16) Color or race of mother. (17) Age of mother at last birthday, in years. (18) Birthplace of mother, at least State or foreign Country, if known. (19) Occupation of mother. The occupation to be reported if engaged in any remunerative employment, with the statement of (a) trade, profession, or particular kind of work; (b) general nature of industry, business, or establishment in which employed (or employer). (20) Number of children born to this mother, including present birth. (21) Number of children of this mother, living. (22) The certification of the attending physician or midwife as to the attendance at birth, including statement of year, month, day (as given in item 7), and hour of birth, and whether child was born alive or stillborn. This certification shall be signed by the attending physician or midwife, with the date of signature and address; if there is no physician or midwife in attendance, then by the father or mother of the child, householder, owner of the premises or manager or superintendent of public or private institution where the birth occurred, or other competent person whose duty it shall be to notify the local registrar of such birth, as required by section 88-1202. (23) Exact date of filing in office of local registrar, attested by his official signature, and registered number of birth, as hereinafter provided. (Acts 1927, p. 362.)

88-1204, Georgia Code 1933. **Registration of stillbirths.**—A stillborn child shall be registered as a birth and also a death, and separate certificates of both the birth and the death shall be filed with the local registrar, in the usual form and manner, the certificate to contain, in the place of the name of the child, the word

“stillbirth”: Provided, that a certificate of birth and a certificate of death shall not be required for a child that has not advanced to the fifth month of uterogestation. The medical certificate of the cause of death shall be signed by the attending physician, if any, and shall state the cause of death as “stillborn,” with the cause of stillbirth, if known, whether a premature birth, and, if born prematurely, the period of uterogestation, in months, if known; and the burial or removal permit of the prescribed form shall be required. Midwives shall not sign certificates of death for stillborn children; but such cases, and stillbirths occurring without attendance of either physician or midwife, shall be treated as deaths without medical attendance, as provided for in section 88-1215. (Acts 1927, p. 356.)

88-1205, Georgia Code 1933. **Supplemental report of name.**—When any certificate of birth of a living child is presented without the statement of the given name, then the local registrar shall make out and deliver to the parents of the child a special blank for the supplemental report of the given name of the child, which shall be filled out as directed, and returned to the local registrar as soon as the child shall have been named. (Acts 1927, p. 364.)

88-1206, Georgia Code 1933. **Registration of midwives.**—Every midwife shall register her name, address, and occupation with the local registrar of the district in which she resides, such registration to be made on or before the first day of February in each year, or, if such residence is established after that date, then within 30 days after the same is established; and shall thereupon be supplied by the local registrar with a copy of this law, together with such rules and regulations as may be prepared by the State Board of Health relative to its enforcement. Within 60 days after the close of each calendar year each local registrar shall make a return to the State Registrar of all midwives who have registered in his district. No fee or other compensation shall be charged by local registrars to midwives for registering their names under this section or making returns thereof to the State Board of Health. (Acts 1927, p. 364; 1931, pp. 7, 11; 1933, pp. 7, 12.)

88-1207, Georgia Code 1933. **Blank forms; alteration of certificates.**—The State Board of Health shall prepare, print, and supply all registrars all blanks and forms used in registering, recording, and preserving the returns, or in otherwise carrying out the purposes of this law, and shall prepare and issue such detailed

instructions as may be required to procure the uniform observance of its provisions and the maintenance of a perfect system of registration; and no other blanks shall be used than those supplied by the State Board of Health, except that in the transportation of dead bodies the standard form of permit adopted by the State Board of Embalmers may be used. The Board shall carefully examine the certificates received monthly from the local registrars; and if any such are incomplete or unsatisfactory, such Board shall require such further information to be supplied as may be necessary to make the records complete and satisfactory. All physicians, midwives, informants, or undertakers, and all other persons having knowledge of the facts, are hereby required to supply, upon a form provided by the State Board of Health or upon the original certificate, such information as they may possess regarding any birth or death, upon demand of such Board, in person, by mail, or through the local registrar. No certificate of birth or death, after its acceptance for registration by the local registrar, and no record made in pursuance of this law shall be altered or changed in any respect otherwise than by amendments properly dated, signed and witnessed. (Acts 1927, p. 365; 1931, pp. 7, 11; 1933, pp. 7, 12.)

88-1208, Georgia Code 1933. **Preservation of certificates; card index; information as to disease.**—The State Board of Health shall further arrange, bind, and permanently preserve the certificates in a systematic manner, and shall prepare and maintain a comprehensive index of all births and deaths registered, said index to be arranged alphabetically, in case of deaths, by name of decedents, and in case of births, by the names of the fathers, or the mothers in the event the name of the father is not known. The State Board of Health shall inform all registrars what diseases are to be considered infectious, or communicable, and dangerous to the public health, as decided by such Board, in order that when deaths occur from such diseases proper precautions may be taken to prevent their spread. (Acts 1927, p. 365; 1931, pp. 7, 11; 1933, pp. 7, 12.)

88-1209, Georgia Code 1933. **Organizations may file records already in their possession; record; index; transcript.**—If any cemetery company or association, any church or historical society or association, or any other company, society, or association, or any individual is in possession of any record of births and deaths which may be of value in establishing the genealogy of any resident of this State, such company, society, association, or individual may

file such record, or a duly authenticated transcript thereof, with the State Board of Health, and it shall be the duty of such Board to preserve such record or transcript, and to make a record and index thereof in such forms as to facilitate the finding of any information contained therein. Such record and index shall be open to inspection by the public, subject to such reasonable conditions as the Board of Health may prescribe. If any person shall desire a transcript of any record filed in accordance herewith, the State Board of Health shall furnish the same upon application, together with a certificate that it is a true copy of such record as filed in the office of such Board. (Acts 1927, p. 366; 1931, pp. 7, 11; 1933, pp. 7, 12.)

88-1210, Georgia Code 1933. **Duties of local registrars.**—Each local registrar shall supply blank forms of certificates to such persons as require them. Each local registrar shall carefully examine each certificate of birth or death when presented for record, in order to ascertain whether or not it has been made out in accordance with the provisions of this law and the instructions of the State Board of Health. If any certificate of death is incomplete or unsatisfactory, it shall be his duty to call attention to the defects in the returns, and to withhold the burial or removal permit until such defects are corrected. All certificates either of birth or death shall be written legibly in durable black ink, and no certificate shall be held to be complete and correct that does not supply all the items of information called for therein, or satisfactorily account for their omission. If the certificate of death is properly executed and complete, he shall then issue a burial or removal or transit permit to the undertaker: Provided, that in case the death occurred from some disease which is held by the State Board of Health to be infectious, contagious, or communicable or dangerous to the public health, no permit for the removal or other disposition of the body shall be issued by the registrar, except under such conditions as may be prescribed by the State Board of Health. If a certificate of birth is incomplete, the local registrar shall immediately notify the informant, and require him to supply the missing items of information if they can be obtained. He shall number consecutively the certificates of birth and death, in two separate series, beginning with number one for the first birth, and the first death of each calendar year, and sign his name as registrar in attest of the date of filing in his office. He shall also make a

complete and accurate copy of each birth and each death certificate on the form provided by the State Board of Health for that purpose, and he shall, on or before the 10th day of each month, transmit to the State Board of Health all original certificates registered by him for the preceding month, and shall forward to the ordinary of the county in which his district is located his copy of the same, or, if there be a full-time city health officer or a full-time county health officer located in his county, he shall forward his copy to said health officer instead of to the ordinary. If no birth or no death occurs in any month, he shall on the 10th day of the following month report that fact to the State Board of Health on a card provided for that purpose. All birth and death certificates filed with a local registrar when the birth or death occurred outside his district must be forwarded by him, within 10 days, to the local registrar of the district in which the birth or death occurred. The ordinary or health officer, as the case may be, shall file and preserve in his office all copies of certificates received by him. (Acts 1927, p. 366; 1931, pp. 7, 11; 1933, pp. 7, 12.)

88-1211, Georgia Code 1933. **Compensation of local registrars; fees; how paid.**—Each local registrar shall be paid a fee of 50 cents for each birth certificate and for each death certificate properly made out and registered with him, and correctly recorded and promptly returned by him to the State Board of Health as required by this law. In case no birth or no death certificate was registered during a month, the local registrar shall be paid a fee of 25 cents for each report made by him to that effect, if such report be made promptly as required by this law. All amounts payable to a local registrar under the provisions of this section shall be paid from county funds by the treasurer of the county in which the registration district is located, and the State Board of Health shall annually, or in its discretion, from time to time during the year, certify to the treasurers of the several counties the number of births and deaths properly registered, with the names of the local registrars and the amounts due each at the date of said certificate: Provided, that before such fees are paid by the county treasurer, the certificate of such Board as to the amount due for such fees shall be verified by a certificate of the ordinary of the county, or city or county health officer, as the case may be, to whom copies of the original certificates have been furnished by the local registrar as provided in section 88-1210. The ordinary or the county or city health officer, as the case may be, shall be

paid a fee of 10 cents for each copy of birth and each copy of death certificate properly filed by him under section 88-1210, said fee to be paid from county funds by the county treasurer. (Acts 1927, p. 367; 1931, pp. 7, 11; 1933, pp. 7, 12.)

88-1212, Georgia Code 1933. **Certified copies of records; fees.**—The Director of the Department of Public Health or ordinary or the county or city health officer shall, upon request, supply to any applicant, a certified copy of the record of any birth or death registered under the provisions of this law, and any such copy of the record of a birth or death, when properly certified by the Director of the Department of Public Health or ordinary or city or county health officer, as the case may be, shall be prima facie evidence in all courts and places of the facts therein stated, for which said applicant shall pay a fee of 50 cents. The United States Census Bureau may obtain, without expense to the State, transcripts or certified copies of births and deaths. (Acts 1927, p. 368; 1931, pp. 7, 11; 1933, pp. 7, 12; 1935, p. 107.)

88-1213, Georgia Code 1933. **Burial or removal permit.**—The body of any person whose death occurs in this State, or who shall be found dead therein, shall not be interred, deposited in a vault or tomb, cremated, or otherwise disposed of or removed from or into any registration district, or be temporarily held pending further disposition more than 72 hours after death, unless a permit for burial, removal, or other disposition thereof shall have been properly issued by the local registrar of the registration district in which the death occurred or the body was found. No such burial or removal permit shall be issued by the registrar until, where practicable, a complete and satisfactory certificate of death has been filed with him as provided in this Chapter: Provided, that when a dead body is transported from outside of the State into this State or from one registration district into another registration district within this State, for burial, the transit or removal permit issued in accordance with the law and health regulations of the place where the death occurred shall be accepted by the sexton or person in charge of the cemetery in lieu of a burial permit at the place of burial. (Acts 1927, p. 356.)

88-1214, Georgia Code 1933. **Certificate of death.**—The certificate of death shall contain the following items, and such other items as are deemed necessary for legal, social, and sanitary purposes subserved by registration records: (1) Place of death, in-

cluding State, county, incorporated town, village, or city. If in a city, the ward, street, and house number; if in a hospital or other institution, the name of the same to be given instead of the street and house number. If in an industrial camp, the name of the camp to be given. (2) Full name of decedent. If an unnamed child, the surname preceded by "Unnamed." (3) Sex. (4) Color or race; as white, black, mulatto (or other Negro descent), Indian, Chinese, Japanese, or other. (5) Conjugal relation; as single, married, widowed, or divorced. (6) Date of birth, including year, month, and day. (7) Age, in years, months, and days. If less than one day, the hours or minutes. (8) Occupation. The occupation to be reported of any person, male or female, who had any remunerative employment, with the statement of (a) trade, profession, or particular kind of work; (b) general nature of industry, business, or establishment in which employed (or employer). (9) Birthplace, at least State or foreign Country, if known. (10) Name of father. (11) Birthplace of father, at least State or foreign Country, if known. (12) Maiden name of mother. (13) Birthplace of mother, at least State or foreign Country, if known. (14) Signature and address of informant. (15) Official signature of registrar, with the date when the certificate was filed and registered number. (16) Date of death, year, month, and day. (17) Certification as to medical attendance on decedent, fact and time of death, time last seen alive, and cause of death, with contributory (secondary) cause or complication, if any, and duration of each, and whether attributed to dangerous or insanitary conditions of employment; signature and address of physician or official making the medical certificate. (18) Length of residence (for inmates of hospitals or other institutions, transients or recent residents) at place of death and in the State, together with the place where the disease was contracted, if not at place of death, and former or usual residence. (19) Place of burial or removal, date of burial. (20) Signature of undertaker or person acting as such, and post-office address. The personal and statistical particulars (items 1 to 13) shall be authenticated by the signature of the informant, who may be any competent person acquainted with the facts. The statement of facts relating to the disposition of the body shall be signed by the undertaker or the person acting as such. The medical certificate shall be made and signed by the physician, if there was any, last in attendance on the deceased, who shall specify the time in attendance, the time he last saw the deceased alive, and the hour of the day at

which the death occurred. He shall further state the cause of the death, so as to show the course of the disease or sequence of causes resulting in the death, giving first the name of the disease causing the death (primary cause) and the contributory (secondary) cause, if any, and the duration of each. Indefinite and unsatisfactory terms, denoting only symptoms of disease or conditions resulting from disease, will not be held sufficient for the issuance of a burial or removal permit, and any certificate containing only such terms, as defined by the State Board of Health, shall be returned to the physician or person making the medical certificate, for correction and more definite statement. Causes of deaths which may be the result of either disease or violence shall be carefully defined; and if violence, the means of injury shall be stated, and whether (probably) accidental, suicidal, or homicidal. For the deaths in hospitals or institutions, or of nonresidents, the physician shall supply the information required, under this head (item 18), if he is able to do so, and may state where, in his opinion, the disease was contracted. (Acts 1927, pp. 357, 358; 1931, pp. 7, 11; 1933, pp. 7, 12.)

88-1215, Georgia Code 1933. **Death occurring without medical attendance.**—In case of any death occurring without medical attention, it shall be the duty of the undertaker to notify the local registrar of the death, and when so notified the registrar shall, prior to the issuance of the permit, inform the local health officer, if there be such officer in the district where the death occurred, and refer the case to him for immediate investigation and certification: Provided, that when the local health officer is not a physician, and in such cases only, the registrar is authorized to make the certificate of death with the local registrar of the district in person having adequate knowledge of the facts: Provided further, that if the registrar has reason to believe that the death may have been due to unlawful act or neglect, he shall then refer the case to the coroner or other proper official for his investigation and certification. The coroner or other proper official whose duty it is to hold an inquest on the body of any deceased person, and to make the certificate of death required for a burial permit, shall state in his certificate the name of the disease causing the death, or, if from external causes, (1) the means of death, and (2) whether (probably) accidental, suicidal, or homicidal, and shall in any case furnish such information as may be required by the

State Board of Health in order to classify the death properly. (Acts 1927, p. 359; 1931, pp. 7, 11; 1933, pp. 7, 12.)

88-1216, Georgia Code 1933. **Obtaining burial or removal permit.**—The undertaker, or person acting as undertaker, shall file the certificate of death with the local registrar of the district in which the death occurred, and obtain a burial or removal permit prior to any disposition of the body. He shall obtain the required personal and statistical particulars from the person best qualified to supply them, over the signature and address of his informant. He shall then present the certificate to the attending physician, if there was any, or to the health officer or coroner, as directed by the local registrar, for the medical certificate of the cause of death and other particulars necessary to complete the record as specified in sections 88-1214 and 88-1215, and he shall then state the facts required relative to the date and place of burial or removal, over his signature and with his address, and present the complete certificate to the local registrar in order to obtain a permit for burial, removal, or other disposition of the body. The undertaker shall deliver the burial or removal permit to the person in charge of the place of burial, before interring or otherwise disposing of the body, or shall attach the transit permit to the box containing the corpse when shipped by any transportation company; said permit to accompany the corpse to its destination where, if within this State, it shall be delivered to the person in charge of the place of burial. (Acts 1927, p. 359.)

88-1217, Georgia Code 1933. **Burial casket, record and report by seller.**—Every person, firm, or corporation selling a coffin or burial casket shall keep a record showing the name of the purchaser, the purchaser's post-office address, and the name of the deceased, which record shall be open to inspection of the State Board of Health at all times. On the first day of each month the person, firm, or corporation selling coffins or burial caskets shall report to the State Board of Health each sale for the preceding month, on a blank provided for that purpose: Provided, however, that no person, firm, or corporation selling coffins or burial caskets to dealers or undertakers only shall be required to keep such record, nor shall such report be required from the undertakers when they have direct charge of the disposition of the dead body. (Acts 1927, p. 360; 1931, pp. 7, 11; 1933, pp. 7, 12.)

88-1218, Georgia Code 1933. **Notice inclosed in caskets sold.**—Every person, firm, or corporation selling coffins or burial caskets at retail, and not having charge of the body, shall inclose within the casket or coffin a notice furnished by the State Board of Health, calling attention to the requirements of the law, a blank certificate of death, and the rules and regulations of the State Board of Health concerning the burial or other disposition of a dead body. (Acts 1927, p. 360; 1931, pp. 7, 11; 1933, 7, 12.)

88-1219, Georgia Code 1933. **Wording of burial permit when body disposed of within State.**—If the interment or other disposition of the body is to be made within the State, the wording of the burial or removal permit may be limited to a statement by the registrar, and over his signature, that, a satisfactory certificate of death having been filed with him as required by law, permission is granted to inter, remove, or dispose otherwise of the body, stating the name, age, sex, cause of death, and other necessary details upon the form prescribed by the State Board of Health. (Acts 1927, p. 360; 1931, pp. 7, 11; 1933, pp. 7, 12.)

88-1220, Georgia Code 1933. **Return of permit. Record of bodies disposed of.**—No person in charge of any premises on which interments are made shall inter or permit the interment or other disposition of any body unless it is accompanied by a burial, removal, or transit permit as herein provided, and every such person shall indorse upon the permit the date of the interment, over his signature, and shall return all permits so indorsed to the local registrar of his district within 10 days from date of interment, or within the time fixed by the local board of health. He shall keep a record of all bodies interred or otherwise disposed of on the premises under his charge, in each case stating the name of each deceased person, place of death, date of burial or disposal, and name and address of the undertaker, which record shall at all times be open to official inspection: Provided, that the undertaker or person acting as such, when burying a body in a cemetery or burial ground having no person in charge, shall sign the burial or removal or transit permit giving the date of burial, and shall write across the face of the permit the words "No person in charge," and file the burial or removal or transit permit within 10 days with the registrar of the district in which the cemetery is located. (Acts 1927, p. 361.)

88-1221, Georgia Code 1933. **Duty of local registrars and State Board of Health in enforcing law.**—Each local registrar is hereby

charged with strict and thorough enforcement of the provisions of this law in his registration district, under the supervision and direction of the State Board of Health, and he shall make an immediate report to the State Board of Health of any violation of this law coming to his knowledge by observation or upon complaint of any person, or otherwise. The State Board of Health is hereby charged with the thorough and efficient execution of the provisions of this law in every part of the State, and is hereby granted supervisory power over local registrars and deputy local registrars, to the end that all its requirements shall be uniformly complied with. The State Board of Health, either personally or by an accredited representative, shall have authority to investigate cases of irregularity or violation of law, and all registrars shall aid such Board upon request in such investigations. When such Board shall deem it necessary, they shall report such cases of violations of any of the provisions of this law to the prosecuting attorney of the county, with the statement of the facts and circumstances; and when any such case is reported to him by the State Board of Health, the prosecuting attorney shall forthwith initiate and promptly follow up the necessary court proceedings against the person or corporation responsible for the alleged violation of law. Upon request of the State Board of Health, the Attorney General shall assist in the enforcement of the provisions of this law. (Acts 1927, p. 369; 1931, pp. 7, 11; 1933, pp. 7, 12.)

Georgia Laws 1943. **Adopted Children—Birth Certificates.**

Section 1. That Section 14, Subsection 2 of the 1941 Acts of Georgia, page 300, be amended by striking said subsection in its entirety and inserting in lieu thereof, to be known as Section 14, Subsection 2, the following:

2. Within thirty (30) days after the final order of adoption has been entered, it shall be the duty of said clerk to forward a certified copy of the petition and all orders entered thereon including the final order of adoption to the registrar of vital statistics of the Georgia Department of Public Health. The said registrar shall add to the birth certificate the new name of the child, if any, the name and address of the parents by adoption, the court issuing the final order, and the date thereof. Upon the request of the adopting parent or parents, said registrar shall issue a certificate of birth, bearing the new name of the child as shown in the order of adop-

tion, the names of the foster parents of said child, age, sex, date of birth, and place of birth as the residence of the adopting parent or parents, if born within the State of Georgia, or the residence of the adopted child if born within the State of Georgia, as the adopting parent or parents may direct, but no reference in any such birth certificate shall have reference to the adoption of said child. However, the original registration of birth shall remain a part of the record of the Department of Public Health, but shall not be open to inspection except upon order of the court issuing the final adoption order. Upon the entry of any order of annulment, a certified copy of the petition for annulment and the order of annulment shall likewise be forwarded to said registrar who shall make the appropriate entries on the records in his file. (Acts 1943, pp. 420, 421.)

Georgia Laws 1943. **Birth Certificate—Delayed.**

Section 1. The Petition: Any person desirous of establishing the time and place of his or her birth and of securing the issuance of a birth certificate, where such person was born prior to the year 1919 or where a registration of such person's birth is not on file with the State Department of Public Health, may present a petition to the Superior Court or to the Court of Ordinary of the County of such person's residence or birth. The petition shall be on a form to be prescribed by and shall contain such information as may be required by the State Department of Public Health under the rules and regulations which may be promulgated from time to time by the State Department of Public Health.

Section 2. Residence of Applicant: The applicant, if born outside the State of Georgia, must have been a bona fide resident of the State of Georgia for at least 36 months prior to the filing of the petition herein provided for, and this act shall be proved by an affidavit from two freeholders in the county of the applicant's residence, or if the applicant has not been a resident of the State of Georgia for at least six months he must present an affidavit from a bona fide resident of Georgia, stating that applicant's services are needed in a war activity in the State of Georgia.

Section 3. Filing of Affidavit: Every applicant shall file with his petition an affidavit from the publisher or a representative of the publisher of the official organ publishing sheriff's advertisements in the county in which said petition is filed, or, if no news-

paper is published in such county, then of a newspaper of general circulation in an adjoining county, which affidavit shall state the applicant has deposited with such publisher a sufficient sum of money to pay for publishing in one issue of such newspaper a notice which shall contain the name of the petitioner, the purpose for which the petition is filed, and the date that said petition was filed. The cost of publishing said notice shall not exceed the sum of one dollar and twenty-five (\$1.25) cents. The hearing on the petition and the entering of judgment under the terms of this act shall not be delayed due to notice not having been published, but said notice shall be published in the earliest edition possible of said paper after such notice has been filed for publication.

Section 4. Hearing; Evidence; Judgment: The petition to establish the time and place of the applicant's birth and to secure the issuance of a birth certificate may be had at any time, either in term or vacation, by the court to which such petition is made. Upon the hearing the applicant shall submit such evidence as may be, from time to time prescribed by the rules and regulations of the State Department of Public Health. The hearing shall be had as promptly as possible after the filing of the petition. The Judge of the Superior Court, Ordinary, or other person authorized by the Ordinary, shall pass upon all issues of fact and law, unless a jury trial shall be demanded by the applicant or by any contestant of the applicant's petition. If a jury trial is requested, the Judge of the Superior Court, Ordinary, or other person as the case may be, shall cause the matter to be referred to a jury at the term of court which may be then in session, or at the next term of the court. Upon the termination of the hearing, whether before a jury, before a Judge of the Superior Court, before an Ordinary, or before some other person authorized to act under the terms of this Act, the officer holding such hearing shall make and enter a judgment as to the status of the applicant, as to the time and place of the applicant's birth, and such other matters as may be prayed by the applicant or as may be required by the rules and regulations of the State Department of Public Health.

Section 5. Delegation of Authority by Ordinary: Any Ordinary of this State may delegate his duties and authority, under the terms of this Act, to any lawful deputy of such Ordinary or to any such person as the Ordinary may designate, and deputize, after such person has first been approved by the State Department of Public

Health. Any such person to whom such authority is delegated by the Ordinary may act as fully and completely hereunder as the Ordinary himself might act, and the findings and ruling of such persons shall have the same force and effect as if such findings and rulings had been made by the Ordinary, as herein provided.

Section 6. Record; Fee. When a judgment is issued under the terms of this Act, determining the time and place of the applicant's birth, a copy of such judgment shall be filed in the office of the Ordinary of the County in which such judgment is rendered, and the Ordinary shall keep an indexed record to be known as Birth Certificate Record, and shall enter thereon the proper index of such judgment. A certified copy of such judgment shall be transmitted by the Court issuing the same to the State Department of Public Health, and shall be filed as a permanent record with the Bureau of Vital Statistics with the same force and effect as a certificate of birth from a local registrar under the provisions of existing law. A filing fee of fifty cents shall be transmitted with each such certified copy to the State Department of Public Health as a filing fee to be used by the Georgia State Department of Public Health in the administration of this act.

Section 7. Examination fee. The applicant shall pay, upon the filing of the petition herein provided for, when such petition is filed to the Ordinary or other person delegated by the Ordinary, an examination fee of Two Dollars (\$2.00), and the filing fee of fifty cents to be paid to the State Department of Public Health, or a total cost of Two and 50/100 Dollars (\$2.50). The applicant shall pay to the Ordinary or to the State Department of Public Health, as the case may be, an additional fee of fifty cents for each certified copy of the judgment desired by the applicant. Where the petition is filed to the Superior Court the cost of such proceeding shall be charged to and paid by the petitioner as other costs in the Superior Court are assessed, which costs shall include the fee of fifty cents for filing with the State Department of Public Health. (Acts 1943, pp. 424-428).

Georgia Laws 1943. Birth Certificate—Short Form Certification.

Section 1. Certified copies, contents.—The State Board of Health and all other officials authorized to issue certified copies of birth certificates, in furnishing information of birth registrations on file in its offices, shall, unless a certified copy containing

more complete information is requested, be authorized to certify only the following items, to wit: Name of Child. Date of birth. Place of birth. Color and sex.

Section 2. Complete information.—Certified copies of birth records containing complete information thereof shall only be issued by the State Board of Health or other officials authorized to issue certified copies of birth records, when requested to do so by any of the following:

1. The person whose record of birth is registered, if of age.
2. Either parent of the person whose record of birth is registered.
3. The legal representative of the person whose record of birth is registered.
4. Order of any Court of Record.
5. Any governmental agency, State or Federal, provided such certificate shall be supplied without cost to the State. (Acts 1943, pp. 428, 429.)

CRIMES

CRIMES

88-9901, Georgia Code 1933. **Failure of public officers to obey quarantine and sanitary regulations.**—Upon the failure of any public or municipal officer of this State to obey any quarantine and sanitary rule and regulation adopted by the State Board of Health pursuant to section 88-112, such officer shall be subject to a fine of not more than \$50. (Acts 1903, pp. 72, 73.)

88-9902, Georgia Code 1933. **Violating county health rules and regulations.**—Any person who shall violate any one or more of the sanitary rules and regulations adopted by county authorities, mentioned in sections 88-203 to 88-205, after being personally served with a written or printed copy of the same, shall be guilty of a misdemeanor. (Acts 1901, pp. 61, 62.)

88-9903, Georgia Code 1933. **Violation of certain quarantine regulations after notice.**—Any person violating any of the regulations prescribed by the corporate authorities of any city or town pursuant to section 88-403 after five days' personal or other notice thereof, given in such manner as may be prescribed by such corporate authorities, or, in the absence of any mode so prescribed, by notice of such regulation for five days in some newspaper in such city or town, or where there is no newspaper, by notice posted at some public place in such city or town for the same length of time, shall be guilty of a misdemeanor: Provided, that nothing herein contained shall prevent the infliction by the corporate authorities having power to pass ordinances or bylaws of such other penalty, not exceeding \$100 fine, in lieu of the penalty first above named, as may be prescribed in any such ordinance or bylaw.

88-9904, Georgia Code 1933. **Refusal to answer inquiries as to disease on board vessel.**—Any master, seaman or passenger belonging to a vessel supposed to have any infection on board, or from a port where any dangerous infectious disease prevails, refusing to answer on oath such inquiries as may be made by any health officer, relating to any infection or disease, shall be guilty of a misdemeanor.

88-9905, Georgia Code 1933. **Failure by master of vessel to deliver to officer his bill of health, etc.**—If the master of any vessel ordered to perform quarantine shall fail to deliver to the officer appointed to see quarantine performed, his bill of health and mani-

fest, logbook and journal, as required by section 88-407, or to repair in proper time after notice to the quarantine ground, or shall depart thence without authority, he shall be punished as for a misdemeanor.

88-9906, Georgia Code 1933. **Quarantine inland traveler traveling before discharged.**—Any person coming into a town or city by land, from a place infected with a contagious disease, restrained under the provisions of section 88-408, traveling before he is discharged, shall be punished as for a misdemeanor.

88-9907, Georgia Code 1933. **Pilot entering vessel with disease on board; master refusing to answer inquiry.**—Any pilot, knowing that any malignant, contagious, or infectious disease is on board a vessel, who shall enter such vessel, shall, in addition to being removed from office as provided in section 88-409, be subject to the penalty of \$100; and any master or commander of a vessel refusing to answer any reasonable inquiry made by any pilot as to the state of health in such vessel, or giving false information in answer, shall be fined in a sum not exceeding \$500. (Act 1793, Cobb, 370.)

88-9908, Georgia Code 1933. **Nonobservance of quarantine by persons on board vessel.**—Any person on board any ship or vessel in which a malignant, contagious, or infectious disease shall exist, or while such ship or vessel is performing quarantine, who shall come on shore or land from such vessel, without permission from the proper authority, and any person (except the health officer or visiting physician) who shall go on board such vessel and return without such permission, shall be fined and imprisoned at the discretion of the court. (Acts 1793, Cobb, 369.)

88-9909, Georgia Code 1933. **Refusal to certify performance of quarantine.**—Every refusal by the health officer of any port, or the authorized visiting physician thereof, after a vessel shall have duly performed quarantine, to give a certificate thereof to the master or commander, as required by section 88-411, shall subject such health officer or physician to a penalty of \$100.

88-9910, Georgia Code 1933. **Concealing smallpox.**—Any physician or other person who shall conceal a case of smallpox, or varioloid, or any modification of the same, within any incorporated city, or town, or in any county, by not giving immediate notice thereof to the mayor, intendant, or health officer, or ordinary, shall be punished as for a misdemeanor. (Act 1830, Cobb, 375.)

88-9911, Georgia Code 1933. **Spreading smallpox.**—Any physician, surgeon, or other person, wilfully endeavoring to spread the smallpox, without inoculation, or by inoculation with matter of the smallpox, or using any inoculation other than that called vaccination, unless by special commission or authority from the court of ordinary of the county where the smallpox shall make its appearance, shall be guilty of a misdemeanor. (Cobb, p. 816.)

88-9912, Georgia Code 1933. **Transportation, sale, etc., of imported second-hand clothing.**—Any person who shall violate any provision of section 88-418, prohibiting importing, selling, buying, and bartering of second-hand or cast-off clothing imported into this State, shall be punished as for a misdemeanor. (Acts 1884-5, p. 137.)

88-9913, Georgia Code 1933. **Violation of orders of Governor as to contagious or infectious diseases.**—Any person violating the orders or regulations issued by the Governor under the provision of section 88-419, to prevent the spread of contagious or infectious diseases, shall be punished as for a misdemeanor. (Act 1793, Cobb, 371.)

88-9914, Georgia Code 1933. **Violation of quarantine.**—Any person who shall come into this State, by land or water, from any place infected with a contagious disease, and in violation of quarantine regulations, shall be prosecuted in any county in which he may be found, and shall be punished as for a misdemeanor. (Acts 1865-6, p. 233.)

88-9915, Georgia Code 1933. **Violation of law to prevent blindness from gonococcus infection.**—Any person who shall violate any of the provisions of sections 88-420 and 88-421 relating to the treatment of children to prevent blindness from gonococcus infection and requiring the nurse or attendant of an infant to report any inflammation of the eyes of such infant developing within two weeks after the infant's birth, or any rule by the State Board of Health thereunder, shall be guilty of a misdemeanor. (Acts 1918, p. 255; 1931, pp. 7, 11; 1933, p 7.)

88-9916, Georgia Code 1933. **Violation of venereal disease law.**—Any person who shall violate any of the provisions of Chapter 88-5 or any lawful rule or regulation made by the State Board of Health pursuant to the authority therein granted or pursuant to the authority granted by any of the statute laws, or who shall

fail or refuse to obey any lawful order issued by any State, county, or municipal health officer pursuant to the authority granted in said law or any other law or regulations prescribed thereunder, shall be guilty of a misdemeanor. (Acts 1918, p. 277; 1931, pp. 7, 11; 1933, p. 7.)

88-9917, Georgia Code 1933. **Transportation of dead bodies.**—Any common carrier, railroad, express company, or other person, firm or corporation, who shall violate Chapter 88-6, relating to the transportation of dead bodies, shall be guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine of not less than \$50 nor more than \$100 for each offense. All fines collected for the violation of any of the provisions of the aforesaid Chapter shall be paid into the common school fund. (Acts 1916, pp. 77, 83.)

88-9918, Georgia Code 1933. **Illegal traffic in human bodies.**—Whoever shall sell or buy such body as is required by law to be delivered to the Board for the distribution and delivery of dead bodies, or any other dead human body, or in any way traffic in the same, or shall transmit or convey, or procure the transmission or conveyance of same to be done, such body, or any other dead human body, to any place outside of this State for purposes of sale or dissection, shall be punished by imprisonment and labor in the penitentiary not less than one nor more than 10 years, (Acts 1887, p. 87.)

88-9919, Georgia Code 1933. **Illegal removal of dead body from grave.**—Whoever shall remove the dead body of a human being from any grave or other place of interment, or from any vault, tomb, sepulchre, or from any other place, for the purpose of selling or dissecting the same, or from mere wantonness, shall be punished by imprisonment and labor in the penitentiary not less than one nor more than 10 years; and any person who shall receive or purchase any dead human body, knowing it to have been so disinterred or removed from any tomb, vault, or sepulchre, or such other place, for the purpose aforesaid, shall receive the same punishment. (Cobb, 818. Acts 1865-6, p. 233; 1887, p. 87.)

88-9920, Georgia Code 1933. **Omission to perform duties as to dead bodies.**—Any person having duties enjoined upon him by the provisions of sections 88-701 to 88-706, relating to the distribution

of dead bodies, who shall refuse or omit to perform the same, shall be guilty of a misdemeanor. (Acts 1887, p. 90.)

88-9921, Georgia Code 1933. **Disinterring by coroner without good grounds.**—If any person makes affidavit to facts to authorize the coroner to disinter a body, or the coroner does so of his own motion, and it is done without good grounds, or from malice or mischief, the person so swearing, or the coroner so officiating, shall be punished as for a misdemeanor. In such cases all the circumstances shall go to the jury; and if they believe there were reasonable grounds for the disinterment at the time it took place, it is their duty to acquit.

88-9922, Georgia Code 1933. **Interference in selection of caskets.**—Any owner, manager, superintendent, or person having in charge any cemetery in this State who, either for himself or as agent for another person or corporation, shall interfere in any way in the selection of any particular model or design of casket used by those having in charge the burial of any human corpse, or in like manner attempt to prevent the use of a receptacle for the casket of any kind that the persons interested and engaged in the burial may desire to use, or suggest the use of any style of such receptacle in preference to another, shall be guilty of a misdemeanor: Provided, that this section shall not apply to interments made upon land belonging to such cemetery association itself, nor prevent any owner of land from preventing the burial of corpses upon his own land. (Acts 1912, p. 105.)

88-9923, Georgia Code 1933. **Carcasses of animals, how placed or buried.**—If any person shall place the carcass of a horse, cow, sheep, goat, dog, or other animal in any stream or road, street, lane, or alley, or place any such carcass upon the premises of another without burying it so deep as to prevent all stench therefrom, he shall be guilty of a misdemeanor. (Acts 1890-1, p. 242; 1908, p. 41.)

88-9924, Georgia Code 1933. **Owner must bury dead animals and fowls.**—In all counties in which there is a city of 1,000 or more inhabitants, according to the last Federal census, if a domestic animal or domestic fowl shall die without the corporate limits of a town or city and shall be within two miles of the residence of the owner thereof, and the owner shall fail or refuse to bury the carcass deep enough to prevent stench therefrom, within three

hours after notice of the death and the location of the carcass, he shall be guilty of a misdemeanor. The carcass of such animal may, within three hours after such notice, be removed and at once manufactured into fertilizers. (Acts 1895, p. 86.)

88-9925, Georgia Code 1933. **Owner must bury stale or decaying matter.**—In all counties in which there is a city of 1,000 or more inhabitants, according to the last Federal census, if the owner of stale or decaying vegetable or animal matter, situated within this State and without the corporate limits of a town or city, shall fail or refuse to bury it so deep as to prevent any stench therefrom, within three hours after notice that it has become offensive to the smell or dangerous to health, he shall be guilty of a misdemeanor. (Acts 1895, p. 86.)

88-9926, Georgia Code 1933. **Storing of dangerous explosives by aliens or nonresidents.**—Any alien, or nonresident person, company, partnership, or corporation who shall store or keep dynamite, gunpowder or other dangerous explosives in this State, shall be guilty of a misdemeanor: Provided, that such person, company, partnership or corporation has no business or enterprise located within the confines of this State that requires the use of said explosives. (Acts 1921, p. 246.)

88-9927, Georgia Code 1933. **Illegal purchase, sale, or use of explosives.**—Any person or corporation violating any of the provisions of sections 88-801 to 88-806, relating to possession, sale, or purchase, of explosives, shall be guilty of a misdemeanor. (Acts 1921, pp. 247, 250.)

88-9928, Georgia Code 1933. **Violation of law protecting correspondence of inmates of private insane asylums.**—Any superintendent, officer, or employee of a private insane asylum, who refuses or neglects to comply with, or wilfully and knowingly violates, any of the provisions of sections 88-901 and 88-902 relating to the protection of the correspondence of inmates of private insane asylums, shall be punished as for a misdemeanor, and shall thereafter be incapable of holding an office in any asylum. (Acts 1890-1, p. 237; 1892, p. 110; 1895, p. 63.)

88-9929, Georgia Code 1933. **Violation of vital statistics law.**—Any person who, for himself or for an officer, agent, or employee of any other person or of any corporation or partnership, (a) shall inter, cremate, or otherwise finally dispose of a dead body of a

human being, or permit the same to be done, or shall remove such body from the primary registration district in which the death occurred or the body was found, without the authority of a burial or removal permit issued by the local registrar of the district in which the death occurred or in which the body was found, or (b) shall refuse or fail to furnish correctly any information in his possession, or shall furnish false information affecting any certificate or record, required by Chapters 88-11 and 88-12, or (c) shall wilfully alter otherwise than is provided by sections 88-1207, 88-1208 and 88-1209, or shall falsify any certificate of birth or death, or any record established by this law, or, (d) being required by Chapters 88-11 and 88-12 to fill out a certificate of birth or death and file the same with the local registrar, or deliver it upon request, to any person charged with the duty of filing the same, shall fail, neglect or refuse to perform such duty in the manner required by such law, or, (e) being a local registrar or deputy registrar, shall fail, neglect, or refuse to perform his duty as required by such law, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall for the first offense be fined not less than \$5 nor more than \$50, and for each subsequent offense not less than \$10 nor more than \$100, or be imprisoned in the county jail not more than 60 days, or in the discretion of the court be both fined and imprisoned. (Acts 1927, p. 369.)

CANCER PREVENTION AND CURE
LAW, RULES AND REGULATIONS

MATTRESSES, SANITARY REGULATIONS
LAW, RULES AND REGULATIONS

SHELLFISH SANITATION
LAWS, RULES AND REGULATIONS

Georgia Laws 1937. Cancer Prevention and Cure.

Section 1. Health Department duties.—Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same, That from and after the passage of this Act it shall be the duty of the Department of Public Health to formulate a plan for the care and treatment of indigent persons suffering from cancer, and to establish and designate standard requirements for the organization, equipment and conduct of cancer units or departments in general hospitals in this State. The Department of Public Health shall consult with physicians designated by the President of the Medical Association of Georgia, and with such other experts or nonexperts wherever located as the Department of Public Health may deem proper with a view to carrying out the purposes of this Act, and with a view of establishing and designating a minimum standard for the conduct and equipment of cancer units or departments in general hospitals in such parts or districts of the State as may, in the opinion of the Department of Public Health, be deemed most advantageous to the public health.

Section 2. Preventive plan.—Be it further enacted by the authority aforesaid, That said Department of Public Health of the State of Georgia shall formulate and put into effect an educational plan for the purpose of preventing cancer throughout the State of Georgia, and for the purpose of aiding in the early diagnosis of cancer, and for the purpose of informing hospitals and cancer patients of the proper treatment.

Section 3. Rules and regulations.—Be it further enacted by the authority aforesaid, That said Department of Public Health of the State of Georgia is authorized and directed to make rules and regulations specifying to what extent and on what terms and conditions indigent cancer patients of this State may receive financial aid for the diagnosis and treatment of cancer in any hospital in this State approved by the Department of Public Health. The Department of Public Health is hereby authorized to furnish such aid to such indigent cancer patients of this State who are citizens of this State, to the extent of, and within the appropriations, as the Department of Public Health shall deem proper. The Department of Public Health shall have the power in its discretion to administer such aid in any manner which in its judgment will afford the greater benefit to cancer patients throughout the State, and shall

have the power, to the extent of and within the appropriation herein provided, or which may be hereafter provided, to acquire such laboratories, hospitals, or other property, either real or personal, by gift, purchase, devise or otherwise, as the Department of Public Health shall in its discretion deem advisable to afford proper treatment and care to cancer patients in this State, and to carry out the intent and purpose of this Act.

Section 4. Appropriation.—That the sum of fifty thousand (\$50,000.00) dollars, is appropriated annually for the purpose of this Act, but the same is to be paid out of the amounts appropriated to the Department of Public Health by the General Appropriation Bill and the amount of fifty thousand (\$50,000.00) dollars is to be paid out of that fund and no other. (Acts 1937, pp. 587-589.)

RULES AND REGULATIONS FOR THE PREVENTION AND CURE OF CANCER

Standards for the Organization of Cancer Clinics.

These essential requirements are summarized as follows:

1. The cancer treatment center shall be organized as a department in a modern general hospital.
2. Modern surgical equipment, superficial and deep X-ray therapy, radium, and diagnostic X-ray equipment shall be available for the treatment of patients.
3. Surgical, Radiological, and Pathological services shall be available.
4. Other medical services usually represented on the staffs of general hospitals shall be available for consultation purposes, such as ophthalmological, otological, laryngological, urological, and gastrological services.
5. A regular clinic day shall be set for the admission of patients at which time members of the staff of the cancer treatment center shall be present. Patients on admission shall be seen by all the members of the Staff in consultation and the treatment planned according to the type of neoplasm present.
6. There shall be a regular clerk assigned to the clinic who shall keep careful records of all cases admitted to the clinic and follow-up the patients so as to ascertain results of treatment, re-

quiring them to report back to the clinic at stated intervals in order to check up on their condition.

7. Clinical reports giving diagnosis, treatment and length of hospitalization, with follow-up reports as to condition of patient, shall be submitted to the office, Director of Cancer Control, State Department of Health, as will enable a complete record of the case to be on file at the central office.

8. Clinics applying for recognition as State-aid Cancer Treatment Centers shall meet minimum standards as set forth above and be on the list of the American College of Surgeons. Clinics in process of organization may be conditionally recognized for limited work during a period of one year or until such time as an inspection by the American College of Surgeons is made. Conditionally recognized clinics which do not gain recognition by the American College of Surgeons after probationary period of one year will be dropped from the list of recognized State Cancer Clinics.

Method of Obtaining State-Aid

Application for state-aid in the treatment of cancer must be made on behalf of the patient by the family physician on official blanks furnished for that purpose, giving all the information called for in the blank. The application must be signed by the Director of the County Welfare Department of the county in which the patient lives, certifying to the inability of the patient to pay for treatment and submitted to the office of the Director of the Cancer Control for approval.

Conditions Under Which State-Aid Patients Are Admitted to Cancer Treatment Centers

Patients must be authorized to report to state-aid treatment centers by the Director of the Cancer Control Division, State Department of Health, before they can be accepted by the treatment center. The basis for this authorization is the receipt at the office of the Director of the official application, properly filled in, and signed by the referring doctor and by the Director of the County Welfare Department of the county in which the patient lives.

Schedule of Payments Covering Costs to State-Aid Patients

Cancer Treatment Centers are not as a rule activities which will constitute a source of profit to those engaged in operating them.

They are, however, a necessary service undertaken by public spirited members of the medical profession and have an important part in the reduction of the cancer mortality death rate which it is hoped can be effected through the operation of the Georgia Cancer Law.

The State reimburses Cancer Treatment Centers to which state-aid cases are sent according to the following schedule:

1. X-Ray:

X-ray films of head or extremity, per film.....	\$ 1.50
X-ray films of thorax or abdomen, per film.....	2.00
Gastro-intestinal series	9.00
Pyelograms	12.00

2. Laboratory:

Biopsies	\$ 3.00
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Biopsy is requested on all suitable cases to establish the diagnosis, and when the section of tissue has been diagnosed by a pathologist, a well mounted paraffin section is to be forwarded to the office of the Director, Division of Cancer Control for filing as a part of the permanent record of the case. (According to State Plan for Cancer Tissue Diagnostic Service, approved June 1, 1940.)

3. Blood Transfusions:

A flat fee of \$5.00 will be allowed for blood transfusion. This is to include the matching of a sufficient number of persons to obtain one or more suitable donors as may be needed and the administration of the transfusion or transfusions needed.

4. Diagnostic Curettage:

Suspicious cases of uterine bleeding may be admitted to the hospital for a period of not more than twenty-four hours for a diagnostic curettage or cervical biopsy. Sufficient radium may be administered to control bleeding while waiting for biopsy report. Future treatment and hospitalization to be determined by the biopsy report. (If case is found to be non-malignant not more than three hospital days will be paid for.)

5. Routine Laboratory Work Covered by Per Diem Cost:

In regard to other diagnostic procedures, such as hemoglobin determinations, red and white cell counts, urine and gastric analysis, the Committee is of the opinion that this is a part of the regular clinical diagnostic service furnished by the hospital and that no special charge for these tests should be made.

6. Surgical:

Surgeons of the various clinics have agreed to donate their services as in the case of any other charity patient. This act is necessary due to the small amount of the appropriation available for state-aid, and the desire on the part of all to enable as many patients as possible to be treated.

Use of operating room (major)	\$ 5.00
Use of operating room (minor)	3.00
Anesthetic, general	5.00
Surgical dressings at cost not to exceed, per dressing50
Intra-uterine insertion of radium	3.00
(No charge for operating room.)	

That minor operations, the taking of biopsies in emergency or examining-room when a general anesthetic is not necessary, be not charged for, but be covered by the three dollar (\$3.00) fee allowed for histological examination of the biopsy.

7. X-Ray and Radium Therapy:

Superficial X-ray Therapy (80-120 K. V.), per 100 Ru50
With a minimum charge of \$3.00.	
Deep Therapy, (180-220 K. V.), per 100 Ru50
With a maximum charge of \$50.00	
Radium Therapy, per 100 mg. hrs.75
With a minimum of \$5.00 and a maximum charge of \$50.00	

8. Treatment of Multiple Lesions at Minimum Rate:

When two or more lesions are treated on the same patient, on the same or successive days in one course of treatment, on the basis of the minimum charge for each

lesion, the maximum charge shall not exceed \$10.00 for any one case.

9. Combination Deep X-Ray and Radium Treatment:

Where both deep X-ray and radium therapy are used in the same case, the maximum combined charge is not to exceed \$90.00.

10. Hospital Board:

Hospital board has been fixed at a uniform rate of \$3.50 per day for all clinics limited to minimum number of days necessary for carrying out prescribed treatment.

11. Transportation:

Patients are expected to bear the costs of transportation to and from the clinics.

12. Ambulatory Cases:

Ambulatory cases under treatment are expected to stay with some friend or relative or to provide themselves with board while receiving treatment at the cancer centers. Where an ambulatory patient is completely destitute and can make no other arrangements, the hospital may arrange for him to board at some nearby place at a cost not to exceed \$1.50 per day. These bills will be cleared through the fiscal agent of the clinic.

13. Non-Malignant Cases:

Conditions other than cancer cannot be treated from state funds. When a case for diagnosis is found to be non-malignant, the financial obligation of the State to that patient then ceases, and no further hospital costs incurred by that patient can be paid out of State funds, regardless of how urgently the patient may need treatment for some other condition. Case is to be referred back to local doctor.

When from history and physical examination a clinical diagnosis of fibromyoma of uterus is made, the patient cannot be accepted as a state-aid case for operation on the basis of the remote possibility of malignant degeneration. D. and C. may be done if necessary to rule out cancer.

On the same basis, goiter cannot be accepted for treatment under the Cancer Control Program, unless proven by biopsy that a malignant change has taken place. (Only about 2 per cent of the adenomatous type undergo malignant changes.)

Hodgkin's Disease, lymphosarcoma and leukemia are subject to treatment in early cases only so long as they respond satisfactorily and patient's physical condition is improving. Advanced cases will not be accepted for treatment; nor will treatment be continued in cases which are on the down grade.

Epuli and mixed tumors of the salivary glands are usually benign in nature but may become malignant, especially the latter. These are easily cured by surgical removal in the early stages; thus preventing malignant or destructive tissue changes later. They are acceptable for surgical removal for diagnosis when in the opinion of the clinic this is thought advisable.

Clinical fibromas and lipomas should be removed surgically for histological diagnosis.

Malignant melanomata rarely respond to treatment and for this reason are unacceptable, likewise Von Recklinghausen's Disease.

14. Advanced Cancer:

Cancer in a state so far advanced as to offer little or no hope of arrest cannot be treated from state funds. Evidence of extensive glandular metastasis or metastases to the internal organs or bones is sufficient evidence the case is too far advanced for treatment; also, persons suffering from infirmity of age who are likely in the natural course of events to die of other conditions before cancer can be cured will not be treated, (persons over 75 years old with low grade cancer will likely die in natural course of events before the cancer kills them, persons of this age with advanced cancer cannot have any life expectancy any way, consequently, persons of advanced age should not be treated.)

The referring physician should receive a full report

of the case and the opinion of the clinic explaining why the case cannot be treated.

15. Clinical Reports:

A clinical report giving data called for in clinical report forms furnished for that purpose, should be made to the office of the Director, Cancer Control Division, State Department of Health, as soon as examination has been completed on the patient's first visit to the clinic with outline of proposed treatment. A copy of this report should be sent to the referring doctor.

Additional clinical reports should be made at the end of each month in which the patient was hospitalized or received any examination or treatment, giving date of hospitalization, clinical progress report, the kind and amount (X-ray, radium) of treatment received during the month and date on which same was given.

Bills for services are checked by the Clinical Report, no service can be paid for unless same is shown on Clinical Record.

16. Diagnostic Costs:

When the condition is questionable as to its nature, a diagnosis must be made before the treatment is begun, using any or all the recognized diagnostic methods: X-ray, biopsy, physical examination, and laboratory, etc., which will be paid for according to above schedule, also hospitalization at \$3.50 per day incident to the completion of these tests. Diagnostic cases must necessarily be held within reasonable limits. Hospitalization for diagnostic cases is limited to three days unless permission for extension of time is necessarily authorized by Director of Cancer Control.

17. Excessive Hospitalization:

The State will not be responsible for hospital care for patients before examination or treatment is begun—nor after treatment is completed. Financial responsibility of treatment will not be assumed by the State. This is a problem of hospital administration incident to handling charity patients.

18. Failure to Respond to Treatment:

The Director of the Division of Cancer Control may direct that any patient under treatment who fails to show reasonable improvement commensurate with cost of treatment be dismissed from further state-aid.

The Director of the Clinic shall dismiss from state-aid all cases which fail to show reasonable progressive improvement under treatment.

19. Authorized Costs:

No costs other than those herein authorized will be paid from State Funds. All charges made must be substantiated by clinical record.

Approved by the Medical Association of Georgia Advisory State Board of Health Committee, June 19, 1939.

Georgia Laws 1937. Mattresses—Sanitary Regulations.

Section 1. **Meaning of words.**—Unless the context clearly discloses a different meaning the following words, phrases and terms as used in this Act shall have the following meaning:

The word "mattress" means: Any mattress, upholstered spring, comforter, pad, cushion, upholstered furniture or pillow used for sleeping, and not smaller than twelve inches in its greatest dimensions.

The word "person" means: Any individual, corporation, partnership or association.

The term "new material" means: Any material which has not been used in the manufacture of another article or used for any other purpose.

The term "previously used material" means: (a) Any material which has been used in the manufacture of another article or used for any other purpose; (b) any material made into thread, yarn or fabric and subsequently torn, shredded, picked apart, or otherwise disintegrated, including jute and shearings.

The word "sell" or "sold" shall, in the corresponding tense, include: Sell, offer to sell, or deliver or consign in sale, or possess with intent to sell, deliver or consign in sale.

The word "sweeps" or "oily-sweeps" as used in the cotton waste

trade shall be construed to mean "mill floor sweepings" and shall be classed as previously used material.

The word "felt" shall mean: Material which has been carded in layers by a Garnett machine.

All words shall include plural and singular as the context demands.

Section 2. Health department.—Be it further enacted by the authority aforesaid, That the Department of Public Health, under the management and control of a Board of Health, through its duly authorized representatives, is hereby authorized and empowered to enforce all the provisions of this Act and the words "Board of Health" shall be construed to include any duly authorized representative thereof.

Section 3. License to remake, etc.; Fee.—Be it enacted by the authority aforesaid, That no person, except for his own use, shall make, remake or renovate mattresses until he has secured a license from the Board of Health and paid a license fee of twenty-five (\$25.00) dollars therefor; said license shall be valid for the calendar year in which issued or until voided by a violation of this Act. Provided a plant or place of business owned solely by blind persons in which place of business not more than one seeing assistant is employed in the manufacture and renovation of mattresses shall not be required to pay the tax herein provided or any other charges or taxes levied or to be collected under this Act.

Section 4. Approval of description; Sterilized materials; Sales.—Be it enacted by the authority aforesaid, That every person applying to the Board of Health for a license to make, remake or renovate mattresses shall furnish said Board a detailed drawing and description of any sterilizing apparatus and process to be used, which apparatus and process shall meet with the approval of the Board of Health before the applicant shall be entitled to a license, and no person shall in making, remaking or renovating a mattress for another person, use any previously used material which, since last used, was not sterilized by a process so approved by the Board of Health and no person shall sell a used mattress unless sterilized, since last used, by a process so approved by the Board of Health, provided that nothing in this Act shall be construed so as to prevent a public sale under due process of law or sale by an executor or an administrator of an estate.

Section 5. **Tags attached.**—Be it further enacted by the authority aforesaid, That any person who receives a mattress for renovation or storage shall keep attached thereto, from time he receives it, a tag on which is legibly written the notice of receipt and the name and address of the owner.

Section 6. **Stamps.**—Be it further enacted by the authority aforesaid, That no person shall make, remake, renovate or sell mattresses to which is not securely sewed a cloth or cloth-backed tag at least two by three inches in size to which is affixed an adhesive stamp, said adhesive stamp shall be provided and furnished by the Board of Health in lots of not less than two hundred and fifty to any one person at a time at a cost of five (\$5.00) dollars per two hundred and fifty (250) stamps. Provided State Institutions engaged in the manufacture of mattresses for their own use or the use of any other State Institution of this State shall not be required to use such stamps.

Section 7. **Details to be stamped.**—Be it further enacted by the authority aforesaid, That the cloth or cloth-backed tags provided for in Section 6 shall be legibly stamped or printed with ink in the English language (a) the name of the material or materials used to fill such mattresses; (b) the name and address of the maker or vendor of the mattress; (c) the words "Made of New Materials" if such mattress contains no previously used material; or the words "Made of Previously Used Materials" if such mattress contains any material classified as "Previously Used Material"; or the words "Second-Hand" on any mattress which has been previously used but not remade. The words so stamped shall be in letters at least one-eighth of an inch high and the tag shall contain nothing of a misleading nature and shall be sewed to the outside cover of every mattress being manufactured before the filling material has been placed therein, and no person, other than a purchaser for his own use shall remove from a mattress or deface or alter the tag required by this Act.

Section 8. **Use of money collected.**—Be it further enacted by the authority aforesaid, That all money collected under this Act shall be paid to the Board of Health and be placed in a special fund, the same being hereby appropriated to the Department of Public Health for the purpose of the enforcement of this Act. The Board of Health being hereby authorized to use a sum not exceeding twenty-five (25%) per cent of the total amount collected for

supervision and general expenses of the Department of Public Health and to expend the remainder of said moneys so collected for (a) salaries and expenses of inspectors and other employees who may be appointed and/or employed by the Board of Health to enforce the provisions of this Act.

Section 9. **Inspections.**—Be it further enacted by the authority aforesaid, That the Board of Health is hereby authorized and empowered in the enforcement of this Act to inspect, or by its duly authorized inspectors or representatives to have inspected every place where mattresses are made, remade, renovated or sold or where material, which is used in the manufacture of mattresses, is mixed, worked or stored, and when a duly authorized representative of the Board of Health has evidence or good reason to believe that a mattress is not tagged or filled as required by this Act, he shall have authority to open a seam of such mattress for the purpose of examining the filling and shall likewise have authority and power to examine any purchase records or invoices necessary to determine the kind of material used in such mattress, and he shall have power to seize and hold for evidence any mattress or material made, possessed or offered for sale contrary to the provisions of this Act. The Board shall have power to require any person supplying material to a mattress manufacturer to furnish such manufacturer an itemized invoice of all materials so furnished. The manufacturer shall keep such invoice on file for one year, subject to the inspection of the Board of Health or any authorized representative thereof.

Section 10. **Violation of this Act; Revocation; New license.**—Be it further enacted by the authority aforesaid, That any person who fails to comply with the provisions of this Act, or who counterfeits the stamp provided in Section 6 of this Act, shall be guilty of a violation hereof, and each stamp so counterfeited and each mattress made, remade, renovated or sold contrary to this Act shall be a separate and distinct violation and offense. The Board of Health shall have power to revoke the license of any person convicted a second time of violating this Act. A new license shall not be issued to the offending person during a period of not less than six months after such a revocation, and then only upon a payment of another inspection fee of twenty-five (\$25.00) dollars for a new license.

Section 11. **Possession unlawful.**—Be it further enacted by the authority aforesaid, That the possession of one or more articles

covered by this Act, when found in any store, warehouse or place of business other than a private home, hotel or other place where such articles are ordinarily used, shall constitute prima facie evidence that the article or articles so possessed are possessed with intent to sell or sterilize and sell the same.

Section 12. **Constitutionality.**

Section 13. **Violation a misdemeanor.**—Be it further enacted by the authority aforesaid, That any person who violates the provisions of this Act shall, upon conviction thereof, be adjudged guilty of a misdemeanor and fined not more than fifty (\$50.00) dollars or imprisoned for a term of not longer than three months, either or both, in the discretion of the court. (Acts 1937, pp. 719-725.)

RULES AND REGULATIONS GOVERNING MANUFACTURE, RENOVATION AND SALE OF BEDDING

Sterilization of mattresses and mattress materials as required by Section 4, Act of General Assembly, No. 472, approved March 30, 1937, shall be in accordance with the following method:

First Method—Dry Heat Sterilization: Loose materials or made-up mattresses shall be subject to dry heat at a temperature of 230° F., and maintained at that temperature for not less than one hour. Dry heat sterilization apparatus shall be equipped with recording thermometer and the chart records made of each period of sterilization must be kept on file and presented to the Department of Health Inspector who shall make inspections as necessary.

The box used for sterilization shall be large enough to guarantee six inch (6") all over clearance of any mattress or mattress material sterilized.

Heat may be obtained either from a circulating heater, gas heat, electricity, or steam. This box shall be air tight, and may be constructed either of wood, cement, brick or sheet iron, at the owner's discretion.

Second Method—Steam Sterilization: Loose mattress materials or made-up mattresses shall be subjected to direct steam under a pressure of 15 pounds per square inch and maintained at that pressure for 30 minutes, or at a pressure of 20 pounds per square inch and maintained at that pressure for a period of at least 20 minutes. Steam sterilization shall be equipped with recording

thermometer and the chart records made of each period of sterilization must be kept on file and presented to the Department of Health Inspector who shall make inspections as necessary.

The bulb for the recording thermometer shall be installed at the furthest point from entry of heat.

Adopted by the State Board of Health on July 19, 1937.

Penalty: See pages 67 and 69 of this bulletin.

Georgia Laws 1943. **Oysters and Oyster Beds—Regulated.**

Section 1. Minimum regulations; Contaminated areas; Confiscation; Interstate shipments; Closed season; Replanting; Prohibitive size; Record kept; Sanitation.—That pursuant to that Act the General Assembly of Georgia approved February, 1943, authorizing the State Game and Fish Commission and the Director thereto to fix open and closed seasons and to regulate the manner and method of taking, transporting, storing and using, among other products, shellfish or crustaceans, there are hereby fixed certain minimum regulations which the Director shall fix in the manner prescribed by said Act, but the minimum regulation set forth herein shall not be held to deprive said director of the power to promulgate further rules and regulations with reference to shellfish or crustaceans, provided that no rules or regulations promulgated by the State Game and Fish Commission or the Director thereof shall be held to modify, amend, change or affect the minimum regulations herein set forth. The minimum regulations which the Director shall promulgate by or before April 1, 1943, shall include the following:

(a) That the Director under the Game and Fish Commission in fixing the area which is or may be leased to any person by such Director, the Game and Fish Commission or any private owner to any other person, firm or corporation for the purpose of planting, growing, gathering, marketing, or selling of oysters, shellfish or crustaceans shall require that the applicant for any such lease furnish to the Department of Public Health charged with the responsibilities of maintaining the health of the citizens of this State, a plat or survey of the lands proposed to be leased, but no such lease contract shall be entered into or become effective until such Department shall issue its certificate, that the particular area in question is not contaminated in any way and that the waters on or adjacent to such area are not polluted or do not contain any

matter which would make the taking of oysters, shellfish or crustaceans, in any way dangerous to the life or health of persons consuming oysters, crustaceans, or shellfish removed therefrom. Any oysters, shellfish or crustaceans removed from an area concerning which such certificate has not previously been issued, shall be subject to confiscation and immediate destruction by any authority of the State Game and Fish Commission as menacing the public health. Such certificate may be revoked upon subsequent findings by the Health Department.

(b) The Department of Public Health shall promulgate such sanitary rules and regulations meeting minimum requirements of the United States Public Health Service and based upon recommendations made by the Committee on Sanitary Control of the Shellfish Industry for interstate shipments, and for the purpose of interstate shipment the Department of Public Health shall certify to all requirements of the U. S. Public Health Service as may be required under approval for interstate shipments. Such rules and regulations shall apply to oyster beds, or areas, and to shucking houses, equipment, and sanitary handling, preparation and shipping. (Reference—United States Public Health Service Minimum Requirements for Approval of Shellfish Control Measures and Certification for Shippers in Interstate Commerce.)

(c) No person, firm or corporation shall pick, tong, dredge or in any other manner take or catch oysters from any of the waters of this state from the first day of May to the thirty-first day of August, except for the purpose of replanting the same in the waters of this state, subject to the regulations prescribed by the State Game and Fish Commission.

(d) Every person, firm or corporation owning or operating a factory for the canning of oysters, or a raw oyster shucking Plant in this State, shall each year distribute upon the areas designated by the State Game and Fish Commission or its authority a quantity of oyster shells not exceeding 33 1/3 % of the quantity required by such cannery or raw shucking plant during the preceding open season; which distribution or replanting shall be done under the direction or supervision of the State Game and Fish Commission or its authority within a radius of twenty miles from the factory or shucking plant distributing the same and before the first day of June. Any failure or refusal to comply with this regulation shall

subject the cannery or shucking plant to revocation of its license by the State Game and Fish Commission.

(e) No oysters shall be taken from the public grounds of this State where the shells of such oysters measure less than three inches from hinge to mouth, except that oysters less than three inches from hinge to mouth may be removed if attached to an oyster of that minimum size and such oyster so attached cannot be removed without destroying such three-inch oyster. And it shall be unlawful for any person, firm or corporation engaged in shucking or canning oysters for market, to shuck, can, purchase, or have in possession any quantity of oysters containing more than 5% of oysters of prohibitive size as herein defined.

(f) All managers or persons in charge of canning factories for the canning of oysters shall be required to keep a book in which shall be entered the name and address of each person from whom he shall purchase, oysters, whether in the shell or shucked, together with the date of purchase and the quantity purchased; such book to be of the size and description prescribed by the State Game and Fish Commission. Such persons shall also retain duplicates of all bills of lading, memorandum or receipts or other indications of shipment made by them on file for comparisons with such books, and shall make a written report to the State Game and Fish Commission not later than the fourth day of each calendar month setting forth in form satisfactory to the Commission a full statement of the operations of such canning factory or raw shucking plant as to quantity purchased, quantity sold and any other detailed information which may be required by the regulation of the State Game and Fish Commission.

(g) All premises, sheds, utensils, measure, tools and implements used on premises of canneries or shucking plants must be kept in a sanitary condition, and to that end the State Department of Public Health charged with the responsibilities of maintaining the health of the citizens of the State, shall, from time to time, prescribe such rules and regulations to this end as may be advisable, and any person, firm or corporation who shall violate such regulations on more than one occasion shall be subject to laws of license or to revocation of license by the said Commission.

Section 2. Tax; Stamps.—Be it further enacted by the authority aforesaid that there is hereby imposed a tax on all oysters

gathered from the waters of this State and shipped from any point within this State in the amount of 5c for each gallon of raw shucked oysters or in the equivalent thereof of oysters in the shell 6c for each 180 ounces on canned oysters, and such tax shall be paid by the person shipping such oysters. All oysters within the limits of this State, whether shucked or in the shell, shall be deemed *prima facie* gathered from the waters of this State unless there be attached to or affixed upon the container of such oysters evidence satisfactory to the State Game and Fish Commission as prescribed by any regulation made by it going to show that such oysters were gathered in some State other than the State of Georgia. The evidence of payment of the tax imposed herein shall be the affixing of cancelled tax stamps in the proper amount to any container of such oysters, which stamps shall be of a design and material as prescribed by the State Game and Fish Commission, and the sale of which stamps shall be under the direction and control of such Commission. The proceeds from the sale of such tax stamps by said Commission shall be remitted by it or its duly authorized officer or agent to the State Treasurer on the fifteenth day of each calendar month.

Section 3. Misdemeanor.—Be it further enacted by the authority aforesaid that any person who shall violate any of the terms or provisions of this Act or any regulations promulgated hereunder shall be guilty of a misdemeanor and shall be punished as provided by law for the punishment of misdemeanors. (Acts 1943, pp. 543-547.)

Georgia Laws 1943. Shellfish and Oyster Beds—Sanitary Conditions.

Section 1. Inspection by Health Department.—Be it enacted by the General Assembly of Georgia, and it is hereby enacted by authority of the same that it shall be the duty of the Department of Health of the State of Georgia to inspect, or cause to be inspected, as often as said department may deem necessary, the various oyster beds and other places within the jurisdiction of or forming a part of the State of Georgia from which oysters are taken to be distributed or sold for use as food, for the purpose of ascertaining the sanitary conditions of such oyster beds and the fitness of the oysters in such places or which are taken therefrom for use as food.

Section 2. Polluted beds condemned; Permit required.—Be it further enacted that if the State Department of Health discovers

that any oyster bed, or other place from which oysters are or may be taken is subject to pollution or to any other condition which may render the oysters in such places, or which may be taken therefrom, dangerous to health, it shall be the duty of said department to immediately condemn such areas, beds, or other place; and to prohibit the taking of oysters from such places, and also to prohibit the sale, distribution, offering for sale, giving away or having in possession such oysters without a permit from such department to take, sell, distribute, give away, or offer to sell or have in possession.

Section 3. Evidence.—Be it further enacted that for the purpose of this Act, the distribution, sale, offering for sale, giving away or having in possession with intent to distribute, sell or give away any oysters shall be prima facie evidence that such oysters were intended for use as food.

Section 4. Rules and regulations.—Be it further enacted that the State Department of Health shall have the power to adopt, promulgate and enforce such rules and regulations as shall promote the purposes of this Act, and it shall also have power to make such specific orders regarding the growing and handling of oysters and the disposal of polluting matter which may affect the purity of oysters as it may deem necessary to enforce the provisions of this Act.

Section 5. Rights and powers.—Be it further enacted that the members and employees of the State Department of Health shall have free access at all times to all oyster beds, places of business and other places where oysters are grown, kept, stored, had in possession with intent to distribute, or sell, or give away, or sold, and also to all streams, tributaries thereof and lands adjacent thereto, the waters draining from which may come in contact with oysters and shall have the power to make such inspection of such places and to take such samples of oysters as they may deem necessary to carry out the purposes of this Act.

Section 6. No interference.—Be it further enacted that no person shall obstruct or in anywise interfere with any inspector or employee of the State Department of Health in the performance of any duty under this Act.

Section 7. Penalty for violation.—Be it further enacted that any person or persons convicted of a violation of the provisions of

this Act shall be punished as for a misdemeanor. (Acts 1943, pp. 583-585.)

RULES AND REGULATIONS GOVERNING SHELLFISH SANITATION

Pursuant to law the Board of Health of the State of Georgia promulgates and adopts the following sanitary rules and regulations and authorizes the Georgia Department of Public Health to enforce same. Such rules and regulations are based upon the United States Public Health Service minimum requirements for approval of shellfish control measures and certification for shippers in interstate commerce.

1. **Shellfish Defined:** For the purpose of these regulations the term "shellfish" is hereby declared to include oysters.

2. No shellfish shall be taken from any water except from such areas as have been approved by the Georgia Department of Public Health. Such approval shall be based upon the recommendations of the Committee on Sanitary Control of the Shellfish Industry and upon such requirement of the United States Public Health Service to meet approval for interstate shipment.

PROVIDED: That removal of shellfish from areas not so approved shall be permitted for the purpose of relaying in approved waters only during the closed season for marketing and not less than 15 days prior to the opening of the next market season.

PROVIDED FURTHER: That permission may be granted by the Georgia Department of Public Health for removal of shellfish from unapproved areas during the open season and to market them after relaying in a large body of clean water, but only under written request to said Department and its written approval and that such removal and relaying shall be under immediate and constant supervision of a representative of said Department and conforming to sections (a) (b) (c) (d) and (e) under "United States Public Health Service Minimum Requirements for Approval of State Shellfish Control Measures and Certifications for Shippers in Interstate Commerce."

3. **Floating.** Shellfish shall not be "floated," stored or cleansed in water the standard purity of which is not at least as rigid as that prescribed for growing areas or beds. (Attention is also directed to the requirements of the U. S. Bureau of Chemistry concerning the salinity of water used for floating.)

4. **Boats.** All boats used in the taking and handling of shellfish shall be kept in such a state of cleanliness and repair that shellfish hauled or stored thereon shall not be subject to contamination by bilge water, through leakage or polluted water, or by other means. Decks, holds, or bins used for storage on boats shall not be washed with polluted water. Reasonable precautions shall be observed by fishermen while boats are in waters over shellfish grounds to prevent the pollution of such grounds through the discharge of human wastes.

5. **Storage.** Shellfish held in storage must be so kept at all times that they will not become contaminated.

6. **Records.** Every person, firm or corporation that conducts any wholesale business of buying, selling or shipping shellfish shall keep an accurate daily record which shall show the names and addresses of all persons from whom lots are received, the source of each lot, and the names and addresses of all persons to whom lots are sold or shipped. Such records shall be open to inspection at any time during business hours by any duly authorized representative of the State Health Department.

7. **Shucking and Packing Plants.**

I. **Construction**

(a) **Lighting and ventilation** shall be adequate in all parts of the building used.

(b) **Washing and packing** rooms shall be separate from shucking rooms. They shall also be so constructed throughout as to permit easy and thorough cleaning and to afford adequate protection against flies.

(c) **Floors** shall be so constructed that they may be easily and thoroughly cleaned, and that drainage of all water therefrom shall be complete and rapid.

(d) **Storage bins or storage rooms** for shell stock shall be so constructed as to permit easy and thorough cleaning and drainage.

(e) **Shucking benches** shall be of an approved sanitary type. Such benches, and walls immediately adjacent thereto to a height of 2 feet above the benches, shall be of a smooth material and so constructed as to be easily and thoroughly cleaned.

(f) **Sanitary toilets**, which shall be separate from shucking and packing rooms, must be provided for employees. If a privy is used it shall be a sanitary type, constructed and located under the approval of the State health agency.

(g) **Refrigeration rooms or ice boxes** for the retention of shellfish must be so constructed as to permit easy and thorough cleaning. It is recommended that the floor of the refrigeration room be constructed of concrete and that the ice box have an impervious lining.

II. Equipment

(a) **Water**. The plant shall be provided with an abundant supply of water, preferably under pressure, from a source approved by the State health agency.

(b) **Hot Water**. Hot water in sufficient amount for all purposes shall be available when the plant is in operation.

(c) **Laboratories**, with running water, shall be provided, together with soap and individual towels.

(d) **Utensils**. Shucking pails, measures, skimmers and colanders, tanks, tubs and paddles shall be made of a non-corrosive, non-rusting, smooth, impervious material, and constructed in such a manner as to eliminate grooves, seams and cracks where food particles and slime will collect. All seams and joints shall be well filled with solder and dressed to a smooth surface. The handles of opening knives should be so constructed as not to contain cracks and crevices which would retain food particles and slime.

III. Operation

(a) **General cleanliness**. During the operating season the plant shall be used for no purpose other than the handling of shellfish or other seafoods. Material foreign to this particular business shall not be stored within the operating part of the plant. All abandoned equipment should be removed from the plant, and the floors in every way kept clear for thorough cleansing. The unoccupied portion of the storage bins, the shucking benches, and all the floors shall be swept and flushed with water of an approved quality at least once every day, at the completion of the day's run, until they are thoroughly clean. The use of polluted water for flushing or cleansing purposes shall not be permitted. A safeguard recom-

mended is that of following the cleansing with a thorough flushing with scalding water or a solution of calcium or sodium hypochlorite of approved strength. This treatment is particularly advisable in the case of shucking benches. Refrigeration rooms or ice boxes shall be washed out and scalded once a week, or more often if necessary. Once a week the cleansing shall include the washing of walls.

(b) **Personal cleanliness.** All employees shall wash their hands thoroughly with running water and soap on beginning work and after each visit to the toilet. Signs to this effect shall be posted in conspicuous places in the plant by the operator. Gloves or other protection for the hands shall be of such material as can be easily and thoroughly cleaned.

(c) **Sterilization.** An adequate supply of boiling water shall be available for the sterilization of utensils. All utensils and tools, such as opening knives, shucking pails, measures, skimmers, colanders, tanks, tubs and paddles, which come in contact with shellfish, shall be thoroughly scoured until clean, and then sterilized by steam in a steam chamber or box, or by boiling water. Such sterilization may be carried out before beginning work, or at the close of the day if the articles are stored overnight so as not to become contaminated. Returnable shipping cans must be cleaned and sterilized by steam prior to refilling, and non-returnable cans shall be rinsed with hot water before filling. The use of shipping containers other than metal for shucked stock is not approved.

(d) **Floor shucking** shall not be permitted. Floors used by shuckers shall not be used for the storage of shellfish or for the retention of shucking pails. Where shellfish are stored in the shucking room, adequate protection shall be provided for the storage space to prevent possible contamination from wash water, wastes, and from the feet of the employees. Shucking pails shall be so placed as to exclude the drippings from shells and from the hands of the shuckers.

(e) **The "nesting"** of empty pails shall not be permitted while the plant is in operation.

(f) **Refrigeration.** The cooling of shucked shellfish shall be effected as quickly as possible after the shellfish are shucked. For the refrigeration of shucked stock, outside containers shall be provided for ice, and no ice or other foreign substances shall be al-

lowed in contact with the shellfish. A temperature of 50° F., or below, but above freezing, shall be maintained in refrigerators where shucked shellfish are stored.

(g) **Washing shucked stock.** Shucked shellfish shall be thoroughly washed with cold water of an assured purity. (Attention is directed to the requirements of the U. S. Bureau of Chemistry as to water content of oysters, in connection with possible "soaking" during the washing process.)

(h) **Waste disposal.** Shells, washings and other wastes shall be disposed of in such a manner as not to cause a nuisance.

IV. Communicable Diseases

(a) **Examination of employees.** All applicants for employment shall be inspected to observe any evidence of active infection and questioned as to whether the applicant has previously suffered an attack of typhoid (or para-typhoid) fever, or has recently been in intimate contact with any such case. This examination should preferably be made by a physician, but, if this is not practicable, it shall at least be made by an intelligent and competent person under instructions from the State or local health department, and all suspicious cases shall be referred to a physician. No person who has any communicable disease, or any infected wounds on the hands or arms, shall be employed or retained in any shucking or packing plant.

(b) **Examination for carriers.** In the case of any individual giving a history of a previous attack of typhoid fever or suspected typhoid fever (or para-typhoid), bacteriological examination of stools and urine, in the laboratory of the State department of health or in such other laboratory as that department may designate and approve, shall be required. Any carriers of typhoid (or paratyphoid) bacilli thus detected shall be excluded from employment.

Only the following paragraphs, lettered as above, shall apply to plants handling shell stock exclusively:

I. a, c, d, f.

II. a, c.

III. a, b, h.

IV. a, b.

8. Shipping.

(a) Shell Stock

- I. Shell oysters and clams shall be handled and shipped under such temperature conditions as will keep them alive. It is recommended that the temperature be kept below 50° F., but above freezing. Detailed instructions to this effect should be printed on the barrel, sack or tag.
- II. Shell oysters and clams shall be packed in clean barrels or sacks plainly marked with the name and address of the shipper and the name and address of the consignee, together with the name of the State of origin and the certificate number of the shipper.

(b) Shucked Stock

- I. Shucked stock shall be stored and shipped under such temperature conditions as will prevent spoilage. Outside containers shall be provided for ice, and no ice or other foreign substance shall be allowed to come in contact with the shellfish. (It is recommended that shucked stock be kept at a temperature of 50° F., or below, from the time it leaves the shipper until it reaches the consumer, but that it not be allowed to freeze.)
- II. Shucked oysters and clams shall be packed and shipped in containers sealed in such manner that tampering is easily discernible, and marked with the identification mark of the shipper or packer. Shipments shall be so tagged or labeled as to show the name and address of the consignee, the name and address of the shipper, the name of the State of origin, and the certificate number of the shipper.

9. Every person, firm or corporation that conducts a shucking plant, or obtains oysters, shucked or unshucked, from any source and sells or ships or otherwise disposes of same to any person, firm or corporation, shall keep a daily record of the amount of oysters so disposed of, showing name and address of receiver or consignee and destination. Such record shall be available at all times to a representative of the State Health Department.

Routine of Operations

The following routine is prescribed for operation of these laws and regulations. Such will apply unless changes or revisions are agreed upon by the Directors of the Department of Public Health and Game and Fish Commission.

1. In conformance with law, the applicant for a lease will make application to the Director of Game and Fish together with a plat or survey of the area proposed to be leased.
2. A copy of such application and plat will be forwarded by the Director of Game and Fish to the Director of Public Health for the purpose of sanitary surveys and investigations of the proposed area. This will involve physical surveys of the area and bacteriological examinations of the overlying waters and the oysters thereunder.
3. If such area is certified to the Director of Game and Fish the applicant through such Director will make application to the Director of Health to proceed with plant construction and procurement of necessary equipment.
4. Letter of authorization to proceed with construction and procurement of equipment will be furnished the applicant by the Director of Public Health through the Director of Game and Fish.

The applicant will receive assistance from the Department of Public Health in meeting the sanitary requirements of construction, equipment and maintenance.

5. When the Department of Public Health is satisfied that all such sanitary requirements have been met, the Director of Public Health will forward to the Director of Game and Fish a certificate for operation.
6. This certificate will be considered by the Director of Game and Fish as one of the requirements before issuing a license as set forth by law.
7. Renewals or revocations of either operating certificate or license will be based upon agreement of both Departments. Revocation by either of the Departments shall be automatic with both.

8. The operating certificate issued by the Director of Public Health cannot be retained by the applicant unless all sanitary requirements are met and maintained subject to inspections and discretion of the Department of Public Health.
9. Necessary forms for certificates, inspections and other purposes will be provided for such operations.

Adopted by the State Board of Health on March 18, 1943.

Penalty: See pages 67 and 69 of this bulletin.

**MISCELLANEOUS
RULES AND REGULATIONS
OF THE STATE
BOARD OF HEALTH**

CONTROL OF COMMUNICABLE DISEASES

For rules and regulations on control of communicable diseases see separate bulletin: "Official Bulletin on the Control of Communicable Diseases." Adopted by State Board of Health on April 16, 1942.

REGULATIONS GOVERNING THE PRACTICE OF MIDWIFERY

Section 1. The term midwife shall be held to mean and include any person, other than a duly licensed physician, who shall engage, whether for pay or otherwise, in the practice of midwifery.

Section 2. The term practice of midwifery shall be held to mean and include the practice of attending or assisting women in childbirth.

Section 3. It shall be the duty of every person in the State of Georgia who engages in the practice of midwifery to register her name, address and occupation with the local registrar of vital statistics in the district in which she resides or may hereafter establish a residence.

Section 4. It shall be the duty of the Director of the Georgia Department of Public Health to furnish a certificate of registration to every midwife who complies with these regulations. Said certificate shall be valid for a period of one year from the date upon which issued, and shall be renewed annually: PROVIDED, however, that such certificate may be revoked at any time upon failure of the midwife to comply with these regulations.

Section 5. No person who is of unsound mind, or of disreputable or immoral character, or one infected with tuberculosis, venereal disease, or any other communicable disease, or who is a carrier of diphtheria or typhoid fever, or who is not cleanly as to person, clothing or equipment, shall be granted, or permitted to hold, a certificate of registration.

Section 6. In order to become eligible for certification it shall be the duty of the midwife first to attend classes of instruction when notified by a duly authorized agent of the State Board of Health, to complete a course of lessons in the practice of midwifery prescribed by said board, and to pass a satisfactory examination before said board or its duly authorized agent. Before any certificate shall be issued, the midwife shall submit a specimen of her blood for examination to the State Board of Health Laboratories; and be protected against smallpox by vaccination, and agree to report promptly all births attended by her, as provided by law, to the local registrar of vital statistics in the district in which they occur, to drop the silver nitrate solution in the infant's eyes, and to obey and carry out faithfully the following regulations governing the practice of midwifery:

Section 7. The midwife must provide, at her own expense, at all times, the following articles of equipment:

Bag:

Removable lining with pockets containing the following articles:

Birth and death certificates.

Pencil.

Midwife regulations.

Maternal care pamphlet.

Midwife certificate.

Midwife equipment case containing:

Gown

Mask

Cap

Towel

} Freshly laundered

Blunt scissors

Silver nitrate ampules for babies' eyes, furnished by the Georgia Department of Public Health

Lysol—2 oz. bottle

Boric acid powder—1 package

Small bag containing brush, soap and orange sticks

Sterile package containing—

6 pieces of cotton

2 cord ties, each 14 inches long

Gauze dressing

or

Small package of absorbent cotton

Sterile gauze dressing for naval (individual packages)

Individual packages of sterile tape for cord ties

Before and after each delivery the scissors, nail brush and nail cleaner shall be cleaned and boiled before being replaced in the bag.

Section 8. The midwife shall not allow herself to be engaged on any case in which any one of the following conditions is known or suspected to exist, or to have existed in past pregnancies, unless requested to do so by a physician:

Troublesome, prolonged or delayed labors.

Syphilis.

Fits or convulsions.

Dwarfing or deformity.

Puffiness or swelling of face, hands and limbs; excessive vomiting; dimness of vision; dizziness; bright flashes before the eyes; marked headaches persistent in character; or unusual swarthy appearance of skin.

Bleeding or foul smelling discharge.

Where such a history shows either in past or present pregnancies or labor, the midwife shall insist on a physician being called. Should any such symptom arise during the course of a labor in which she is in attendance, she shall advise that a physician immediately be called and refuse to assume further responsibility, if it is possible to obtain a physician.

Section 9. After labor has begun, the following preparations shall be made:

Provide a plentiful supply of boiled water.

Bathe the patient and change her clothing.

Prepare the bed for the delivery.

Provide and prepare the necessary articles to be used in connection with labor.

The midwife should prepare her hands as follows:

Cut the nails short, but not to the quick.

Scrub the hands and forearms with a brush, soap and hot water, for five minutes.

Soak the hands for five minutes in a solution of one teaspoonful of lysol to a pint of warm water.

Section 10. The patient shall be prepared as follows:

Bathe thoroughly the lower part of the abdomen, the external genitals and the adjoining skin surface of the thighs with warm water and castile or good white soap. Then rinse with clear water. Cover the parts with a clean towel or several thicknesses of gauze.

Section 11. The midwife shall not give a vaginal douche before, during or after labor, nor shall she apply grease or other lubricant to the vulva or vagina, or make a vaginal examination. She shall not interfere in any way with the natural course of labor, except to steady and support the head of the baby during the delivery in an attempt to prevent a laceration, making back pressure if a tear seems certain. She shall not use any instrument or drugs to assist delivery.

Section 12. If any of the following conditions occur during the course of labor, the midwife shall call for a physician immediately:

If a hand, foot or buttock is born first.

If the cord drops down and appears at the vagina.

If the vulva shows unusual swelling.

If the patient should have fits or convulsions, or complains of severe headache, blindness and flashes of fire before her eyes. If the pains gradually cease after active labor pains have begun and continued for some time.

If the patient shows signs of exhaustion or should faint.

If there should be a vaginal hemorrhage, other than a slight show.

If there is an abnormality or obstruction at or in the birth canal.

If the afterbirth is not delivered in two hours.

The midwife shall not under any circumstances introduce her finger or hand into the vagina, or pull on the cord, to deliver the afterbirth. If the afterbirth is not delivered within one hour, an attempt may be made to assist delivery by gently kneading the womb, which can be felt plainly as a large mass in the lower part of the abdomen, for the purpose of stimulating contraction.

Section 13. Immediately after birth the infant's eyes should be gently wiped with moist sterile cotton without opening the lids, a separate piece of cotton being used for each eye. The eyelids shall then be separated and a drop of one per cent silver nitrate solution (furnished free by the Georgia Department of Public Health) shall be placed in each eye. The cord shall be dressed with a dry sterile cord dressing.

Section 14. If any of the following conditions affecting the mother or baby occur just after delivery or during the course of the lying-in period, the midwife shall call a physician immediately:

Mother:

Where none or only a portion of the afterbirth is delivered.

Marked or unusual hemorrhage.

Convulsions or fits.

Failure to pass urine, or too small an amount, within twelve hours.

Chills or rigors.

Sudden rise of fever or fever lasting for more than one day.

Premature checking of the normal discharge.

Foul odor to the discharge, particularly if associated with chill and fever.

Onset of any acute illness during lying-in period.

Red, swollen or hard breasts or cracked nipples.

Baby:

If the baby is premature, undeveloped, or shows signs of physical weakness.

If there are any injuries, malformations or deformities.

If the cord shows signs of infection (pus or matter).

If there is bleeding from any portion of the body, or a rash, sore, or other sign of disease.

If for any reason the baby is unable to nurse properly.

If the baby develops any acute illness.

If the baby cannot pass water or the bowels do not move within twenty-four hours.

If there is any swelling or redness of the eyes or eyelids.

Law of 1918 says:

“Section 1. That it shall be the duty of any person who shall be in attendance on any childbirth to apply to the child such prophylactic treatment as may be prescribed by the State Board of Health.....to prevent blindness from gonococcus infection.

“Section 2. That any person who shall nurse or attend any infant shall report any inflammation of the eyes of said child that shall develop within two weeks after birth to the local health officer or to a licensed physician.”

Violation of this law is punishable by a fine of \$1,000 and twelve months in the chaingang, either or both.

Section 15. If there is any swelling or redness of the eyes or eyelids, this condition shall be reported immediately to the local health officer, or, in a city or county where there is no health officer, to a physician and also directly to the State Board of Health.

Section 16. Within ten days after the birth of the child the midwife shall fill out, and file with the local registrar of vital statistics in whose district the birth occurred, a certificate of birth as required by law. If a mother, pregnant five months or more, gives birth to a dead infant, a birth certificate, and notification of the

still birth, shall be filed with the registrar within ten days.

Adopted by the State Board of Health on January 28, 1925, and re-enacted October 20, 1933.

RULES AND REGULATIONS FORBIDDING SEARCH OF RECORDS

WHEREAS, demands have been made upon the staff and employees of the State Board of Health by various persons to be allowed to inspect the records of the Board, and

WHEREAS, the indiscriminate allowing of such search is not conducive to keeping such files in an orderly and clean manner, and

WHEREAS, many of the files of the Board, notably birth and death certificates, must be kept as permanent records and it is incumbent upon such employees who have them in charge to maintain them in a clean and orderly condition, and

WHEREAS, other files of the Board, notably laboratory findings and diagnoses, by their very nature, are confidential and personal to the person on whom reports are made and their physicians, therefore

BE IT RESOLVED, that the files of the State Board of Health of Georgia are not open to public inspection, and the Director of the Department of Public Health and employees are instructed not to permit public inspection of any record which would violate the confidential relation between physician and patient;

BE IT FURTHER RESOLVED, that public search of records of birth and death is prohibited, and only authorized employees of the Department of Public Health will search the files of the State Bureau of Vital Statistics for any applicant for certified copies of birth and death certificates only upon payment of the statutory fee by the applicant for such certificates, as provided in Section 88-1212 of the Code of 1933;

BE IT FURTHER RESOLVED, that the foregoing paragraph shall apply to local registrars of vital statistics, who shall not permit any search of their records of birth and death certificates by any person except themselves or a person authorized in writing by the Director of the State Department of Public Health.

Adopted by the State Board of Health on March 20, 1935.

RULES AND REGULATIONS GOVERNING WATER SUPPLY AND WATER PURIFICATION SYSTEM

Section I. It shall be the duty of the mayor of each city, and of the proper officers of all private corporations, partnerships, and of individuals who shall hereafter install a waterworks system, or shall make any change in any existing system, to file with the State Board of Health a true and correct copy of the plans and specifications of the entire system to be installed, or changed by such city, corporation, partnership, or individual, including plans and specifications of such filtration or other purification plant as may be operated by them in connection therewith, and also plans and specifications of all alterations, additions or improvements to such systems which may be made from time to time.

Section II. The words "plans and specifications" as used here shall be construed to mean a true description or representation of the entire system, and also a full and fair statement of how the same is to be operated, and in addition to all other things shall show all the sources through or from which it is, or may be, at any time pumped or otherwise caused or permitted to enter such system. Such plans and specifications shall be certified by the mayor and the city engineer of city corporations, and by such proper officers and the engineer employed by a private corporation for private corporations, and by some individual member of a partnership, or by the individual owner in case of a waterworks owned and operated by partnership or individuals, including the engineer employed, if any.

Section III. On receipt of the plans and specifications by the State Board of Health they will be inspected in reference to their effect on the public health, and if such Board on inspection finds that the proposed water supply is impure and dangerous to individuals or the public generally, or that the proposed purification system is inadequate to supply a safe water, the said Board on its order may require the corporation, partnership or individual owning and operating the same to make such alterations in such waterworks systems as may be required or advisable in the opinion of said Board, in order that the water supply may be healthful and free of pollution. Such recommendations or orders of the State Board of Health shall be served in writing on such corporations, partnerships, or individuals, and it shall thereupon be the duty of such

corporations, partnerships, or individuals to comply with such recommendations or orders.

Section IV. To insure consideration of all essential details and so prevent waste of time in correspondence relative to missing and inadequate data, the following rules and regulations have been adopted to which plans submitted for approval must conform:

A. Submission of Plans and Specifications.

Two sets of plans and specifications shall be submitted to the Georgia State Board of Health for examination at least two weeks prior to the date upon which action is desired. From this it is not to be inferred that action will always be taken within the time mentioned.

B. Information Required.

The plans for a complete water supply and water purification system shall consist of the following parts:

1. A general plan map of the municipality or district, showing the proposed system.
2. Detailed drawings showing construction of any special structures in the distribution system.
3. General and detailed plans for the water purification works.
4. Specifications and comprehensive report upon the proposed system by the designing or consulting engineer. (A preliminary report containing data and information sufficient for the complete understanding of the project should be submitted to the State Board of Health for its consideration, prior to the submission of detailed plans.)

C. General Plan Map.

1. The general plan map shall be drawn to a scale not greater than 100 nor less than 300 feet to one inch, and covering the entire area of the municipality or district to be supplied with water, and shall accompany each application in the case of a new water system, or any extension or modification of any water supply or water purification system, unless such a general plan of the entire area has been previously submitted. If the municipality is greater than two (2) miles in length, the map may be divided into sections. The sheets shall be bound together and a small index map supplied showing by number the area covered by various sheets.

This map shall show all existing or proposed streets, the sur-

face elevations of all street intersections, and the elevations of the principal parts of the water systems such as water at the intake, in the reservoir or standpipe, etc. The map should show that water supply facilities can be provided for all sections of the municipality or district. The location of intake, valves, hydrants, reservoirs, pumps, standpipes and purification plant, and any special structures, shall be shown and referred to in a legend near the title. The size of pipe shall be written between the street lines and along the pipe. The map shall also show the true or magnetic meridian, title, scale, date, the municipal district boundaries, the mean, low and high water elevations of water at the intake. If the size of the pumping plant is subject to flooding, the elevation of the highest known flood water must be given. The elevations of the street intersections shall be placed outside the street lines in the upper right-hand angle, or opposite their respective positions in the street.

2. Detail drawings of all special appurtenances, such as blow-offs, siphons, intakes, conduits, reservoirs, collecting galleries, etc., shall be submitted. Profiles of long conduits or pipe lines may be plotted to a convenient scale and shown on sheets conforming in size to other sheets making up the set of plans.

D. Purification Works.

1. The plans for the purification works shall consist of a general plan upon which reserve area for future extensions must be shown, and also the general layout of the various units of the process, together with the piping system.

2. The detail drawings shall include longitudinal and transverse sections sufficient to show the construction of each structure, unit and part of the plant. They shall also show the under-drainage and wash system, sizes and depth of stone, gravel and sand used for filtering material in the filters. Device for measuring total water treated shall be shown. Arrangement of laboratory shall be shown. Point of application of sterilizing agent shall be shown.

3. The following dimensions of plan sheets shall be used: Distance from top to bottom 20 to 30 inches, length 24 inches, 32 inches, 40 inches, 48 inches, or thereabouts. Each drawing shall have legibly printed thereon the name of the municipality or persons for whom the drawings are made, the name of the engineer in charge, the date, the scale, and such references in the title as are necessary for the complete understanding of each drawing.

E. Engineer's Report and Specifications.

1. A report and specifications written by the designing or consulting engineer, shall be presented with all plans for complete systems, and shall give all data upon which the design is based or which is required for the complete understanding of the plans.

2. In the case of surface supplies to be filtered a small scale map of the watershed showing the roads and the number and character of buildings shall be included in the report. Other features which shall be discussed in the report are: storage capacity, average depth, general nature and area of the storage reservoir, liability of odors or taste in supply and removal of color, iron or hardness.

3. If the water supply is to be taken from wells, describe the number, depth, size and construction of the same; method of pumping, capacity of pumps, kind of strainer used, nature of ground through which wells will be driven, and probable flow of the wells. If collecting galleries are to be used, describe their construction.

4. The following information is required respecting the purification plant: The method of purification and a description of the units of the system; the rate of operation of each of the systems; the rate of operation of each unit of the plant; nature of chemicals used, with a description of the appliances for adding the same to the water; a description of all conditions peculiarly characteristic of the water or locality which in any manner affect the design or operation of the system; a description of all special appliances used, any special methods of maintenance or operation of the plant, and the extent of purification expected or guaranteed. List of plant laboratory equipment with manufacturer's catalog number shall be given.

5. The report shall further include a description of the nature and extent of the area to which it is proposed to supply water, or which will ultimately be supplied from the system, the quantity of water to be supplied daily, and the population to be served, the portion of the system to be constructed at present and the minimum depth of pipe below the surface of the ground. A description of any provision for future units at pumping plants, filters, shall be given. Should there be areas in the municipality or districts which on account of topography or for other reasons cannot be supplied with water, a definite statement to this effect must be

made and the probable future supply of this omitted territory should be discussed.

6. If the plans are solely for the extension of the existing system, only such information as is necessary for the comprehension of the plans will be required. This information shall, in general, conform to the above requirements for a complete system.

Section V. No deviation from approved plans and specifications shall be made unless amended plans and specifications showing such proposed changes have been submitted to and approved by the Georgia State Board of Health.

Section VI. Samples of water for bacteriological examination shall be submitted in a manner prescribed by the State Board of Health from each public water supply monthly or as often as required by said Board.

Adopted by the State Board of Health on April 28, 1920, amended January 29, 1930, and re-enacted October 20, 1933.

Penalty: See pages 67 and 69 of this bulletin.

RULES AND REGULATIONS ON SEWERAGE SYSTEMS AND SEWAGE PURIFICATION WORKS

"It shall be the duty of the mayor of each city, and of the proper officer of all private corporations, partnerships, and of individuals who shall hereafter install a sewerage system, to file with the State Board of Health a true and correct description of such system. Such plans and specifications shall, upon their receipt by the State Board of Health, be inspected with reference to their effect upon public health, and if such Board finds that such sewerage system, or any part thereof, are dangerous to individuals, or to the public health generally, the said Board on its order may require such alterations as may be required, or advisable."

To insure consideration of all essential details and to prevent waste of time in correspondence relative to missing and inadequate data, the following rules and regulations have been adopted to which plans submitted for approval must confirm:

Submission of Plans:

1. Plans must be submitted for examination at least two weeks prior to the date upon which action is desired.

Information Required:

2. The plans for a complete sewerage and sewage disposal system shall include the following: A general map of the municipality or sewerage district. Profiles of all sewers proposed. . . . Details of construction of manholes, flush tanks and special structures pertaining to the sewers. . . . General and detail plans for disposal works. . . . A comprehensive report upon the proposed system by the designing or consulting engineer.

Map of General Plan:

3. (a) The general plan referred to in paragraph (2) shall be drawn to a scale not greater than 100, nor less than 300 feet to one inch, and shall show the entire area of the municipality, or district. If the municipality is greater than two (2) miles in length the map may be divided into sections, conforming in size to those mentioned in section 7 of these rules. The sheets shall be bound together and a small index map supplied, showing by number the area covered by the various sheets. A general plan shall accompany each application, in the case of a new sewer system, or any extension or modification of any existing sewer system unless such general plan has already been submitted.

Details of Map:

(b) This plan shall show all existing or proposed streets, the surface elevations at all street intersections, and contour lines at intervals of not more than ten feet.

If it is intended to defer the construction of sewers in some of the streets, the plan shall show that sewerage facilities are provided for all such sections of the municipality, or sewerage district. The plans shall also clearly show the location of all existing sewers, either "separate" or "combined," the location of the disposal works, and the location of existing and proposed sewer outlets or overflows. The true or magnetic meridian, the town or borough lines, title, data, scale, direction of flow average water elevation of the stream shall also be clearly shown. The elevation of the highest known freshets at the outlets and site of the disposal plant shall be given. Any area from which sewage is to be pumped shall be shown by light shading, coloring or other distinctive marks.

Elevation:

(c) Elevations of the surface of the streets should be placed outside the street line in the upper right angle, or opposite their respective positions in the street. The elevations of sewer inverts should be shown at street intersections, ends of lines, and wherever a change of grade occurs. The elevations of surface shall be shown to the nearest 1/10 foot; those of the sewer invert to the nearest 1/100 foot. The sizes and gradients of all proposed and existing sewers shall be marked along the line of the sewer.

Sewer Appurtenances:

(d) All sewer appurtenances and unusual features, such as man-holes, lampholes, flush tanks, siphons, pumps, etc., shall be designated on the plans by suitable symbols and referenced by a legend near the title.

4. Profiles of all sewers over 8 inches in diameter and of all 8-inch sewers, where the grades of less than that below are used, shall accompany the application. Profiles of all sewers must be approved before they are constructed.

Profiles of sewer lines shall be prepared and drawn to such a scale as to clearly show the structural features of the sewer. Upon these profiles shall be shown all manholes, flush tanks, lampholes, siphons and stream crossings, with elevations of the stream bed and normal water. Figures showing that size and grades of sewers, surface elevations, sewer inverts, etc., should be shown with the same frequency as required for the map.

Grades, etc.

The following grades for sewers flowing half full are suggested as minimum grades for ordinary use, as with careful construction a theoretical velocity of approximately two feet per second can be obtained.

Size of Pipe	Fall in Feet Per 100 Feet of Sewer
8 inches	0.40 feet
10 inches	0.29 feet
12 inches	0.22 feet
15 inches	0.16 feet

18 inches	-----	0.12 feet
20 inches	-----	0.10 feet
24 inches	-----	0.08 feet

The sewers should have a capacity when flowing half full sufficient to carry twice the future average flow twenty-five years hence, plus a sufficient allowance for ground water infiltration.

When grades lower than those given are used, an explanation and reasons for the use of such grades should be included in the engineer's report. On each sheet of profiles must be given, under the title, an index of the streets appearing on that sheet.

Detail Plans:

5. Detail drawings at sewer sections except where terra cotta or iron pipe is used, and all sewer appurtenances, such as manholes, lampholes, flush tanks, inspection chambers, siphons and any special structures, shall accompany the general sewer plan.

The detail plan shall be drawn to such a scale as to show suitable and clearly the nature of the design and all details, such as manholes, frames and covers, iron pipes, valves, gates, etc.

Disposal Works:

6. The plan for the disposal works shall include a general plan upon which reserve area or future extensions are clearly shown, and detail plans of the various units and structures which comprises the plant.

A weir or other measuring device shall be provided at some convenient point, and the installation of a recording device is recommended, and in particular instances may be required.

Detail Plans:

The detail plans shall show longitudinal and transverse sections sufficient to explain the construction of each unit. They should also show the distributing and drainage systems, general arrangement of any automatic devices, sizes of stone, gravel, or sand used as filtering material and such other information as is required for the intelligent understanding of the plans.

Size of Drawings:

With the exception of the map, the following dimensions are suggested for ordinary use: distance from top to bottom, 20 or 30

inches; length, 24 inches, 32 inches, 40 inches or 48 inches. By this section it is intended to prevent the use of long profiles and unnecessarily large maps, which are difficult to file or to use.

Title:

Each drawing shall have legibly printed thereon the name of the town or persons for whom the drawing is made, the name of the engineer in charge, the date, the scale, and such reference in the title as are necessary for the complete understanding of each drawing.

Engineer's Report:

8. A report, written by the designing or consulting engineer, should accompany all plans for complete sewerage system, and shall give all data upon which the design is based, such as:

Information Concerning Sewerage Systems:

(a) The nature and extent of the area which it is proposed to include within the present system of sewerage, and of the area which it is planned shall ultimately drain into this system.

(b) The population to be served, both present and estimated for twenty-five years hence.

(c) The estimated per capita daily flow of sewage to be cared for.

(d) The total and per capita water consumption of the town at the present time.

(e) The estimated daily flow of sewage including leakage.

(f) The character of the sewage (whether domestic or including manufacturing wastes, and in case of the latter, the nature and approximate quantity of the same stated in specific terms.)

(g) Method of flushing or periodically cleaning the sewers.

(h) That portion of the sewers to be built at the present time.

(i) If there are sections which cannot drain into this system, the extent of such sections and the probable future disposition of the sewage from these sections.

(j) Distance of sewer outlet from shore and depth of water at mean tide at outlet, if outfall discharges into ocean or large stream.

Information Concerning Disposal Plant:

With regard to the disposal plant, the engineer's report shall cover the following subjects:

- (a) The method of disposal to be adopted and a description of the units of the system.
- (b) The rate of working of each unit.
- (c) If disinfection is to be used, the name of the disinfecting substance, the quantity per million gallons of sewage and the method of application.
- (d) The nature of the body of water into which the effluent discharges, with particular reference to the run-off during dry weather.
- (e) The disposal of sludge.
- (f) Special devices used in connection with the disposal system.
- (g) Special methods of maintenance or operation of the system.
- (h) Explain any provisions for reserve units in pumping plants, pipe lines, filters, etc.

Specifications and Estimate of Cost:

Specifications for the construction of the system of sewers and sewage disposal works and an estimate of the cost of the same shall accompany all plans for new or original systems. With plans for extensions of existing systems, specifications may be omitted, provided that these extensions are to be constructed in accordance with specifications filed previously with original plans.

Extensions of Present Systems:

10. If the plans are solely for the extensions of an existing system, then only such information as is necessary for comprehension of the plans will be required. This information must in general conform to the above requirements for complete system.

General Requirements, Application for Approval:

11. The application for approval of plans shall be made by the proper municipal authorities, persons for whom work is to be done, or their properly authorized agents.

Systems on Separate Plan:

Under ordinary circumstances the Board will approve such plans only when designed upon separate plan, in which all rain water

from roofs, streets, and other areas and all ground water, other than unavoidable leakage, is to be excluded.

By-passes:

No by-pass which may allow raw or partly purified sewage to be discharged from the sewers or disposal works shall be included in the plans, except by special permission of the Board.

Deviation from Approved Plans:

No deviation from approved plans shall be made, unless amended plans, showing proposed changes, have been submitted to and approved by the Board's engineer.

Adopted by the State Board of Health on April 28, 1920, and re-enacted October 20, 1933.

Penalty: See pages 67 and 69 of this bulletin.

**RULES AND REGULATIONS GOVERNING THE
IMPOUNDING OF WATER**

In order to prevent an increase in the prevalence of malaria and to avoid the formation of foci of endemic malaria by the impounding of waters, under and by virtue of authority vested in it by the Legislature of Georgia, the State Board of Health does hereby promulgate and publish the following rules and regulations governing the impounding of waters or damming of water courses in the State of Georgia.

Section 1. Any person, firm, corporation, county or municipality desiring to impound water, or who proposes to raise the level of a previously existing pond by the elevation of point of overflow of a dam, shall, prior to the initiation of any construction activities, make application to the State Board of Health for, and obtain from it preliminary permit for the impounding of such water.

PROVIDED: That this section, shall not be construed to apply to ponds of less than 1/10 acre for watering stock or other domestic purposes, nor to impound waters so located that no portion of them lies within one mile of any permanent human habitation, congregation or place of business, other than that of the owner.

Section 2. Such application for a preliminary permit shall be made in writing in the name of the person, firm, corporation, county, or municipality making application, and shall be accompanied

by a description of the proposed project, its purpose, and its exact location; also by an accurate plat of the area to be affected, showing particularly the maximum and minimum water levels.

Section 3. Such a temporary permit for the inauguration of initial construction shall be issued by the State Board of Health when the following rules and regulations, or modifications thereof, have been made to apply to the said project.

PROVIDED: That all the provisions of this Section need not apply to impounding projects when, in the opinion of the State Board of Health, there are other factors or circumstances which render or may render the observance or compliance with the provisions of this Section unnecessary or impracticable.

3-a. In the area to be occupied by the reservoir, its branches, bights, and indentations, all brush, trees, undergrowth, logs, stumps, and similar objects, which, if not removed, would float or collect flotage on the surface of the impounded water, and all of the above material that is lying on the ground or remaining in original or new position, which would probably cause collection of flotage to gather, and thus constitute conditions favorable to the protection of larvae of mosquitoes capable of conveying malaria, shall be removed, burned, otherwise satisfactorily disposed of, prior to the impounding of water. Note: The above does not include grass, vegetation, brush, trees, stumps, etc., which will be permanently and completely submerged at time of low water and which are, therefore not of sanitary importance.

3-b. In the area to be occupied by the reservoir, its branches, bights, and indentations, all brush, trees, and undergrowth which would pierce the surface at low water level shall be cut off at least one foot below such water level, to prevent the collection and anchorage of any possible flotage, egg rafts, etc.

3-c. All depressions which will be filled with water from the reservoir, its branches, bights, and indentations at time of maximum water level, in which water will be retained at lower stages of the water level, thus forming separate pools, shall be connected with the normal body of the reservoir, or any of its branches, bights or indentations, with a ditch or culvert which will permit complete drainage at low-water stage. Note: Such places are generally few in number, but are of importance in mosquito production.

Section 4. A preliminary permit for the impounding of water having been granted by the State Board of Health, and construction work on the project begun, a representative of the State Board of Health shall make inspection of the project from time to time, and as requested by the permit holder, the State Board of Health shall approve in writing of that portion of the work as is outlined in Section 3 of the Regulations which has been satisfactorily completed.

As the said representative of the State Board of Health determines that the preliminary permit holder is complying with the provisions of Section 3-a of these Regulations and as it shall appear that the preliminary permit holder has complied with the provisions of Section 3-b of these Regulations, the permit holder may thereupon proceed, as authorized by written approval from the State Board of Health, with the impounding of water to a level specified by said representative of the State Board of Health, and, when it shall appear that the permit holder has complied with the Regulations to the satisfaction of the Board, said Board shall certify such fact to the permit holder in writing and the permit holder may thereupon proceed with the impounding of water to a maximum high water level.

Section 5. The State Board of Health shall thereupon issue a final permit for the maintenance of an impounding project by said applicant, the validity of said permit being contingent upon the observance of the following regulations:

5-a. During the mosquito breeding season the permit holder shall regularly and frequently remove all flottage and floating debris in the reservoir, its branches, bights, and indentations which are producing mosquitoes within one mile of human habitation, and shall during mosquito breeding season satisfactorily apply such larvicide as approved by the State Board of Health to all *Anopheles* breeding areas of the reservoir or parts of the impounded waters.

5-b. Prompt and proper measures shall be taken to prevent the growth of cat-tails, bulrushes, and other aquatic or semi-aquatic vegetation which offers protection for *Anopheles* larvae.

5-c. After the water has been impounded, the State Board of Health shall from time to time make such inspections of the impounded waters and adjacent areas as are deemed essential; and any conditions found on the impounded water project that are, or

may be, detrimental to public health, or are likely to cause an increase of malaria, shall be modified by the permit holder so as to be satisfactory to the State Board of Health.

5-d. These Regulations shall govern any change in water level or the re-impounding of waters, and as soon as any proposed changes affecting the maximum water elevation are contemplated, the State Board of Health shall be notified in writing.

Section 6. Failure to comply with the provision of any section or sub-section of these Regulations shall constitute a violation thereof, and shall constitute, according to Chapter 88-99 of The Code of Georgia of 1933, a misdemeanor, punishable as provided in that Act.

Adopted by the State Board of Health on January 23, 1924, amended July 2, 1925, January 29, 1930, re-enacted October 20, 1933, and amended March 22, 1939.

RULE REGULATING THE MANUFACTURING, IMPORTATION AND BOTTLING OF WATERS

Section 1. It shall be the duty of every manufacturer, importer, bottler or other person, firm, corporation, or company manufacturing, importing or bottling in the State of Georgia, any artificial or natural mineral, spring or other water for drinking purposes to first file with the State Board of Health the name of such water and the exact location from which it is obtained. And also to first have made a bacteriological examination, and chemical analysis if required, by the State Board of Health Laboratory.

Section 2. No person, firm, corporation or company shall manufacture, import or bottle in the State of Georgia any artificial or natural mineral, spring or other water for drinking purposes without first obtaining a permit from the State Board of Health, and without a renewal permit before February 1, each year thereafter. The State Board of Health reserves the right to revoke any permit or permits at any time when after a thorough investigation, and bacteriological examination and opportunity for public hearing, the domestic use of the water of any person, persons, firm, corporation or company shall appear to be a menace to the public health.

Section 3. It shall further be the duty of every manufacturer, bottler, importer or other person, firm, corporation or company manufacturing, bottling or importing in the State of Georgia any artificial, natural mineral, spring or other water for drinking purposes to provide the State Board of Health with at least one bottled sample, as prepared for sale on the market, every month for bacteriological examination as to purity.

Adopted by the State Board of Health on January 25, 1928, and re-enacted October 20, 1933.

RULES AND REGULATIONS FOR THE CONTROL OF UNDULANT FEVER

WHEREAS, undulant fever (also called Malta fever) has recently been found to exist in man in various sections of Georgia and that this disease is caused by infection with the same bacterial agent known to be the cause of contagious abortion in cattle; and that the State Veterinary Department has demonstrated by the laboratory testing of the blood of thousands of dairy cattle in Georgia during the past three years that contagious abortion is common among dairy cattle in this State, especially those imported from other states, and the evidence at hand justifies the assumption that undulant fever in man is contracted from infected animals, probably through the medium of dairy products; and

WHEREAS, the State Veterinarian is employing the following regulations pertaining to the control and eradication of contagious abortion in cattle in Georgia:

Regulation No. 17.

Paragraph 1. All breeding cattle, including calves six months or more old, shall pass a negative blood test for contagious abortion (agglutination or complement fixation), made by a Federal, State or competent commercial laboratory, not more than three weeks prior to shipment into the State of Georgia.

Paragraph 2. Each animal shall be ear tagged or otherwise permanently marked for identification and the health certificates must show the date of the test and the name of the laboratory making the test. The original report from the testing laboratory must be attached to the copy of the health certificate sent to the State Veterinarian of Georgia, by the veterinarian who issues the health certificate.

Paragraph 3. Cattle moving in violation of these requirements will be quarantined and tested at the owner's expense, and any reactors will be tagged or branded for identification and quarantine upon the owner's premises. Violations of quarantine will be prosecuted and the reacting animal may be ordered returned to point of origin.

BE IT RESOLVED that the State Board of Health strongly endorse these regulations, said endorsement to be given due publicity through the press and official organs for the information of the people of Georgia.

Adopted by the State Board of Health, August 8, 1928.

RULES AND REGULATIONS FOR THE CONTROL OF RABIES

Rule I. Quarantine of dogs when Rabies is known to exist: In the event rabies is known to exist in a given locality, it should be the duty of the local board of health in whose jurisdiction the disease exists to order all dogs quarantined or confined for a period of not less than 60 days from date of last occurrence. All dogs found on public highways, or streets, or anywhere off the premises of the owner except on leash, shall be impounded. Dogs thus impounded, if not reclaimed by the owner within five days shall be humanely dispatched or otherwise disposed of at the discretion of the health officer. The zone or area of such quarantine shall extend for a radius of not less than one mile from the focus of infection.

Public notice of such quarantine shall be by publication in local newspapers or by posting of notice in public places, or by both.

Such quarantine shall apply to all dogs and does not exempt dogs having been "inoculated" or "vaccinated" with antirabic canine vaccine.

Rule II. Seven days quarantine of biting animals: Any dog, cat, or other animal known or suspected to have bitten any person or persons shall be ordered confined on the premises of the owner or harbinger of the animal for a period of not less than seven days from date of biting. Under no circumstances should the animal be killed during this time. If normal after seven days the animal may be released or otherwise disposed of as the occasion may de-

mand. No exemption for "inoculated" dogs. In the event no owner or harbinger of such animal can be found, said animal shall be captured and impounded for a period of not less than seven days, after which time the animal may be humanely destroyed.

Rule III. Sixty days quarantine of dogs bitten by rabid dogs: Any dog, cat, or other animal known or suspected to have been bitten by a dog or cat known or suspected to be rabid may be killed or securely confined without recess for a period of sixty days. If rabies has not developed in such animal by the end of sixty days, it may be ordered released from quarantine. No exemption for "inoculated" dogs.

Adopted by State Board of Health on March 22, 1939.

Penalty: See pages 67 and 69 of this bulletin.

RULES AND REGULATIONS ADOPTED BY THE GEORGIA STATE BOARD OF HEALTH FOR RESTAURANT SANITATION

This twenty-seventh day of September, 1940, under authority of Sections 88-107, 88-112 and 88-117 of the Georgia Code of 1933, the Georgia State Board of Health, in addition to the enacted laws, hereby adopts the following rules and regulations for the prevention of the spread of contagious and infectious diseases:

Rule I. Designated Areas.—These rules and regulations shall be effective in all areas within a radius of five miles of any military or naval camp, fort, barrack, cantonment, field training grounds, or place of concentration, and within three miles distance from any school, college, or place of concentration.

Rule II. Definitions.—The following definitions shall apply in the interpretation and the enforcement of these rules and regulations:

- a. **Restaurant.**—The term "restaurant" shall mean restaurant, coffee shop, cafeteria, short order cafe, luncheonette, tavern, sandwich stand, soda fountain, and all other public eating and drinking establishments, as well as kitchens in which food and drink are prepared for sale elsewhere to the public.
- b. **Itinerant restaurant.**—The term "itinerant restaurant" shall mean one operating for a temporary period in con-

nection with a fair, carnival, circus, public exhibition, or other similar gathering.

- c. **Employee.**—The term “employee” shall mean any person who handles food or drink during preparation or serving, or who comes in contact with any eating or cooking utensils, or who is employed at any time in a room in which food or drink is prepared or served.
- d. **Utensils.**—“Utensils” shall include any kitchenware, tableware, glassware, cutlery, utensils, containers, or other equipment with which food or drink comes in contact during storage, preparation, or serving.
- e. **Director.**—The term “director” shall mean the Director of the Georgia Department of Public Health or his authorized representative.
- f. **Person.**—The word “person” shall mean person, firm, corporation, or association.

Rule III. Permits.—It shall be unlawful for any person to operate a restaurant within limits prescribed by these rules of any military or naval reservation, camp or cantonment in the State of Georgia, or other area as may be designated by these rules who does not possess an unrevoked permit from said director, and in whose place of business such permit is not posted in a conspicuous place. Only persons who comply with the requirements of these rules and regulations shall be entitled to receive and retain such a permit.

Such a permit may be suspended by the director, or revoked after an opportunity for a hearing by the director, upon the violation by the holder of any of the terms of these rules and regulations.

Rule IV. Placarding or public display of permit.—Every restaurant shall display at all times in a place designated by the director or his authorized representative, a copy of the permit.

Rule V. Examination and condemnation of unwholesome or adulterated food or drink.—Samples of food and drink may be taken and examined by the director as often as he deems necessary for the detection of unwholesomeness or adulteration. The director may condemn and forbid the sale of, or cause to be removed or

destroyed, any food or drink which he deems unwholesome or adulterated.

Rule VI. Inspection of restaurants.—Every restaurant located within any area prescribed in accordance with Rule I shall be inspected as often as the said director shall direct. In case the director or his authorized representative discovers or has reason to suspect violation of any item of sanitation required, he may immediately suspend or revoke the permit.

One copy of the inspection report shall be posted by the director or his authorized representative upon an inside wall of the restaurant, and said inspection report shall not be defaced or removed by any person except the director or his authorized representative. Another copy of the inspection report shall be filed with the records of the health department.

Rule VII. Sanitation requirements for restaurants.—All restaurants shall comply with all of the following items of sanitation:

- Item 1. **Floors.**—The floors of all rooms in which food or drink is stored, prepared, or served, or in which utensils are washed, shall be of such construction as to be easily cleaned, shall be smooth, and shall be kept clean and in good repair.
- Item 2. **Walls and ceilings.**—Walls and ceilings of all rooms shall be kept clean and in good repair. All walls and ceilings of rooms in which food or drink is stored or prepared shall be finished in light color. The walls of all rooms in which food or drink is prepared or utensils are washed shall have a smooth, washable surface up to the level reached by splash or spray.
- Item 3. **Doors and windows.**—All openings into the outer air shall be effectively screened and doors shall be self-closing, unless other effective means are provided to prevent the entrance of flies.
- Item 4. **Lighting.**—All rooms in which food or drink is stored or prepared or in which utensils are washed shall be well lighted.
- Item 5. **Ventilation.**—All rooms in which food or drink is

stored, prepared, or served, or in which utensils are washed, shall be well ventilated.

- Item 6. **Toilet facilities.**—Every restaurant shall be provided with adequate and conveniently located toilet facilities for its employees, which are approved by the Georgia Department of Public Health. In restaurants hereafter constructed toilet rooms shall not open directly into any room in which food, drink, or utensils are handled or stored. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be kept in a clean condition, in good repair, and well lighted and ventilated. Handwashing signs shall be posted in each toilet room used by employees. In case privies or earth closets are permitted and used, they shall be separate from the restaurant building, and shall be of a sanitary type constructed and operated in conformity with the standards of the State Board of Health.
- Item 7. **Water supply.**—The water supply shall be easily accessible to all rooms in which food is prepared or utensils are washed, and shall be adequate, and of a safe sanitary quality.
- Item 8. **Lavatory facilities.**—Adequate and convenient handwashing facilities shall be provided, including warm water, soap, and approved sanitary towels. The use of a common towel is prohibited. No employee shall resume work after using the toilet room without first washing his hands.
- Item 9. **Construction of utensils and equipment.**—All multi-use utensils and all show and display cases or windows, counters, shelves, tables, refrigerating equipment, sinks, and other equipment or utensils used in connection with the operation of a restaurant shall be so constructed as to be easily cleaned and shall be kept in good repair.
- Item 10. **Cleaning and bactericidal treatment of utensils and equipment.**—All equipment, including display cases or windows, counters, shelves, tables, refrigerators, stoves, hoods, and sinks, shall be kept clean and free from dust, dirt, insects, and other contaminating ma-

terial. All cloths used by waiters, chefs, and other employees shall be clean. Single-service containers shall be used only once.

All multi-use eating and drinking utensils shall be thoroughly cleaned and effectively subjected to an approved bactericidal process after each usage. All multi-use utensils used in the preparation or serving of food and drink shall be thoroughly cleaned and effectively subjected to an approved bactericidal process immediately following the day's operation. Drying cloths, if used, shall be clean and shall be used for no other purpose.

Item 11. Storage and handling of utensils and equipment.—

After bactericidal treatment no utensil shall be stored except in a clean dry place protected from flies, dust, or other contamination, and no utensils shall be handled except in such manner as to prevent contamination as far as practicable. Single-service utensils shall be purchased only in sanitary containers, shall be stored therein in a clean dry place until used, and shall be handled in a sanitary manner.

Item 12. Disposal of waste and elimination of rats.—All garbage waste, tin cans, and other offal shall be stored in galvanized garbage cans with tight fitting lids until properly disposed of in a sanitary manner.

The building in which the establishment is housed shall be made rat proof insofar as possible in order to prevent typhus fever and to eliminate rat harborage.

Storage—Shelving and fixtures.—All shelving and fixtures shall be devoid of any enclosed space at the base by removing the side boards so as to allow free access or enclosing base of shelving or fixture with metal to prevent ingress and egress of rats. All wooden gratings or storage racks shall be constructed of open slats and height of slats above floor shall not be less than eight inches. Underneath surface of the racks shall be open and exposed to normal vision at all times.

Item 13. Refrigeration.—All readily perishable food or drink shall be kept at or below 50° F., except when being

prepared or served. Waste water from refrigeration equipment shall be properly disposed of.

- Item 14. **Wholesomeness of food and drink.**—All food and drink shall be wholesome and free from spoilage. All milk, fluid milk products, ice cream, and other frozen desserts served shall be from sources approved by the director or his authorized representative. Milk and fluid milk products shall be served in the original containers in which they were received from the distributor or from a bulk container equipped with an approved dispensing device: Provided, That this requirement shall not apply to cream, which may be served from the original bottle or from a dispenser approved for such service. All oysters, clams, and mussels shall be from approved sources.
- Item 15. **Storage and display of food and drink.**—All food and drink shall be so stored and displayed as to be protected from dust, flies, vermin, unnecessary handling, droplet infection, overhead leakage, and other contamination. No animals or fowls shall be kept or allowed in any room in which food or drink is prepared or stored. All means necessary for the elimination of flies shall be used.
- Item 16. **Cleanliness of employees.**—All employees shall wear clean outer garments and shall keep their hands clean at all times while engaged in handling food, drink, utensils, or equipment.
- Item 17. **Miscellaneous.**—The premises of all restaurants shall be kept clean and free of litter or rubbish. None of the operations connected with a restaurant shall be conducted in any room used as living or sleeping quarters. Adequate lockers or dressing rooms shall be provided for employees' clothing and shall be kept clean. Soiled linens, coats, and aprons shall be kept in containers provided for this purpose.

Itinerant restaurants.—Itinerant restaurants shall be constructed and operated in a manner approved by the director.

Rule VIII. Restaurants which may operate.—From and after one month from the date hereof no restaurants shall be operated within the area designated unless it conforms with the requirements of these rules and regulations: Provided, That when any restaurant fails to qualify, the director is authorized to revoke the permit.

Rule IX. Reinstatement of permit.—Any restaurant the permit of which has been suspended may at any time make application for the reinstatement of the permit.

Within one week after the receipt of a satisfactory application, accompanied by a statement signed by the applicant to the effect that the violated item or items of the specifications have been conformed with, the director or his authorized representative shall make a reinspection, and thereafter as many additional reinspections as he may deem necessary to assure himself, that the applicant is again complying with the requirements, and, in case the findings indicate compliance, shall reinstate the permit.

Rule X. Poisonous substances.—No article, polish, or other substance containing any cyanide preparation or other poisonous material shall be used for the cleansing or polishing of utensils.

Rule XI. Health of employees.—No person, firm or corporation shall employ any person for service as cook, waiter, waitress, hostess, or for any other service in or around such restaurant, nor shall he allow any person to render these services gratuitously, until he has secured a statement from a reputable doctor of medicine, stating that such person is free from all infectious, contagious or communicable diseases, or symptoms of such diseases, including any of the venereal diseases, unless in the opinion of the physician such person is known to be incapable of transmitting such disease by reason of regular and continuous treatments which render him non-infectious. In cases where the person is employed under the provisions of these continuous treatments, the employer shall require a monthly statement from some reputable doctor of medicine or approved clinic that such person is taking the necessary treatments regularly. Such statement or certificate from the doctor of medicine or approved clinic shall be kept on file and available for inspection by the director or his authorized representative at all times, but in no case shall the individual employee be permitted to have any copy of such certificate or any statement that such certificate has been issued.

Notice shall be sent to the director or his authorized representative immediately by the restaurant manager or by the employee concerned if he or any employee contracts any infectious, contagious, or communicable disease, or has a fever, a skin eruption, a cough lasting more than 3 weeks, or any other suspicious symptom. It shall be the duty of any such employee to notify the restaurant manager immediately when any of said conditions obtain, and if neither the manager nor the employee concerned notifies the director immediately when any of said conditions obtain they shall be held jointly and severally to have violated this rule. A placard containing this rule shall be posted in all toilet rooms.

Rule XII. Procedure when infection suspected.—When suspicion arises as to the possibility of transmission of infection from any restaurant employee the director or his authorized representative is authorized to require any or all of the following measures: (1) the immediate exclusion of the employee from all restaurants; (2) the immediate closing of the restaurant concerned until no further danger of disease outbreak exists, in the opinion of the director; (3) adequate medical examinations of the employee and of his associates, with such laboratory examinations as may be indicated.

Rule XIII. Enforcement interpretation.—For the purpose of enforcing these rules and regulations the Director of the Georgia Department of Public Health may call in the aid of the sheriff and constables of any county, the police and other enforcement officers of any town or city, who shall in such cases render him all needed assistance.

Rule XIV. Penalties.—Any person who violates any provision of these rules and regulations shall be punished as prescribed in several sections, Chapter 88-99, Georgia Code of 1933.

Adopted by the State Board of Health on September 27, 1940, and October 21, 1943.

RESOLUTION ON UNITED STATES PUBLIC HEALTH SERVICE MILK ORDINANCE AND CODE

BE IT RESOLVED, That the Board of Health of the State of Georgia, in regular session assembled in Atlanta on March 20, 1940, takes cognizance of the value of the "Milk Ordinance and Code" approved by the United States Public Health Service of the Fed-

eral Security Agency and by the Bureau of Dairy Industry of the United States Department of Agriculture, and adopts this ordinance of January, 1939, and any subsequent revisions thereof for the express purpose of promoting the sanitary production of milk and the prevention of diseases which may be transmitted through the milk supply.

Adopted by the State Board of Health on March 20, 1940.

RESOLUTION ON UNITED STATES PUBLIC HEALTH SERVICE MILK ORDINANCE AND CODE

WHEREAS, there has recently occurred in a city in one of our adjoining states a milk-borne outbreak in which 70 citizens, including soldiers and civilians, became ill, the State health officer of that State is quoted as follows: "This furnishes undisputable support of the position taken by the State Board of Health against the pooling of low grade and high grade milk and its distribution under dishonest labels. In view of this situation and of another city's action on abolishing labels for milk, taken by the county board of health Tuesday night, the time has come, it seems to me, when the public should be apprised of the facts in this important matter and of the potential dangers to which such a short-sighted policy would expose our people."

"It is well in this connection also to advise the consuming public just what diseases may be transmitted through milk. According to Dr. Milton J. Rosenau, world renowned authority on preventive medicine, these include tuberculosis, scarlet fever, typhoid and paratyphoid fever, infantile paralysis, food infection, diphtheria, Septic sore throat, Malta fever, undulant fever, foot and mouth disease, milk sickness, diarrhea, dysentery and epidemic arthritic erythema."

He further states that since the milk shortage in his state has become so acute that pressure groups, local and national, have endeavored to prevail upon the State Board of Health to recommend that milk regulations be lowered or abrogated whereby low grade, potentially unsafe milk could be legally sold to the public under dishonest labels.

He further states that at two official meetings, the State Board of Health refused to lower milk regulations, or to recommend the

pooling of high and low grade milk or to abolish the proper labeling and grating of milk and milk products.

He further states that in this action his state board has the endorsement of the following:

The United States Public Health Service.

The United States Public Health Service Liaison Officer, 4th Service Command.

All local health officers in his state.

The Consumers Association of his state, and other organizations.

"Thus," he states, "the U. S. Public Health Service, the State Board of Health, the Army and Navy, the producing farmers, the State and Territorial Health Officers, the local Health Officers and the public stand united in refusing to subscribe to the abolishment of grading and labeling of milk and any let down in the Public Health control of milk supplies." Therefore

BE IT RESOLVED, That the Board of Health of the State of Georgia, in regular session assembled in Atlanta on March 18, 1943, deplores the position taken by those pressure groups who would have grading and labeling of milk abolished in order to legalize the practice of taking low grade potentially dangerous milk and selling it to the public as a high grade product contrary to the opinions of those who would protect the health of the public. The Board again takes cognizance of the value of the United States Public Health Service Milk Ordinance and Code and recommends that grading and labeling of all milk and milk products should continue in accordance with the provisions of this Standard Ordinance. The Board further recommends that copies of this resolution together with copies of policies expressed by health authorities of other states be forwarded to the local health departments in Georgia.

Adopted by the State Board of Health on March 18, 1943.

REGULATIONS CONCERNING THE REPORTING OF OCCUPATIONAL DISEASES AND INVESTI- GATIONS COVERING THEM

It shall be the duty of each physician having knowledge of any person whom he believes to be suffering from any occupational disease to report the same to the board of health in the same man-

ner as he reports other notifiable diseases to the board of health.

Occupational diseases may be defined for the purpose of this regulation as any disease contracted as a result of the nature of the employment. Bulletin No. 41 of the U. S. Department of Labor, entitled "Occupational Hazards and Diagnostic Signs," is adopted as a guide to impairments to be looked for in hazardous occupations. A copy of this bulletin shall be made available to all physicians to serve as a guide in reporting.

All reports made pursuant to the provisions of this regulation shall be confidential records of the board of health and shall not be open for public inspection. The State Department of Public Health is authorized to investigate and to make recommendations for the elimination or prevention of occupational diseases which have been reported to it or which shall be reported to it in accordance with the provisions of this regulation. Said Department is also authorized to study and make recommendations in regard to conditions that may be suspected of causing occupational diseases. Information obtained and opinions based upon these investigations shall be confidential records of the board of health and shall not be open for public inspection.

Adopted by the State Board of Health on October 16, 1941.

Penalty: See pages 67 and 69 of this bulletin.

REGULATION GOVERNING THE USE OF HATTERS' MERCURIAL CARROTING SOLUTIONS

Section 1. Definitions: For the purpose of carrying out the provisions of these regulations the following terms are defined:

Hatters' Fur is any animal fiber or other substance used in the manufacture of hats, which is treated or otherwise prepared by the process of, or, in a manner similar to that of carroting.

Carroting is the process of treating hatters' fur with mercury nitrate or any other solution or material for the purpose of rendering the hatters' fur suitable in the manufacture of hats.

Mercurial carrot is any solution or material containing mercury or its compounds in combination with nitric acid or other materials and used in the carroting or preparation of hatters' fur.

Section 2. Effective December 1, 1941, the use of mercurial

carrot in the preparation of hatters' fur, or the use of mercurial carroted hatters' fur in the manufacture of hats, is prohibited:

Provided, That any hat manufacturer or fur cutter in this State having mercurial carroted hatters' fur on hand December 1, 1941, may use said fur until it is consumed.

Adopted by the State Board of Health on October 16, 1941.

Penalty: See pages 67 and 69 of this bulletin.

RULES AND REGULATIONS PROHIBITING THE IMPORTATION, PURCHASE, BREEDING, GIVING AWAY, SALE OR OFFER OF SALE OF BIRDS OF THE PSITTACINE FAMILY

The importation, purchase, breeding, giving away, sale or offer of sale of birds of the psittacine family is hereby prohibited; provided, however, that the importation and breeding of such birds for scientific research or exhibiting in public zoological gardens may be permitted subject to the approval of the State Health Officer. For the purposes of this regulation birds of the psittacine family shall mean and include any parrot, parrakeet, love bird, macaw, cockatoo, lory, lorikeet, or any other bird of the parrot or psittacine family not specifically enumerated herein. This regulation shall become effective not less than three months after the date of its adoption.

Adopted by the State Board of Health on April 16, 1942.

Penalty: See pages 67 and 69 of this bulletin.

REGULATIONS GOVERNING THE QUARANTINE AND CONTROL OF COMMUNICABLE TUBERCULOSIS

WHEREAS, It is recognized that tuberculosis continues to be one of the most serious public health problems, despite the reduction in the death rate from this disease in Georgia from 74.6 in 1930 to 40.5 in 1942; and

WHEREAS, Even with the reduced death rate of 40.5 per 100,000 population, 1,265 deaths from tuberculosis occurred in Georgia in 1942, 3,067 new cases were reported and it is the first cause of death in the 15 to 45 year old age group; and

WHEREAS, The quarantine or isolation of persons with communicable tuberculosis and the compulsory examination of persons reasonably suspected of having communicable tuberculosis are essential to the control of this disease;

NOW THEREFORE, In view of the foregoing, the Board of Health of the State of Georgia does hereby declare a quarantine upon all persons suffering with communicable tuberculosis. The boundaries of this quarantine shall coincide with the State of Georgia and it shall be enforced according to the following rules and regulations which are hereby promulgated and put in force by the State Board of Health.

1. Any person suffering with tuberculosis in a communicable stage or condition who refuses to obey instructions for the control of tuberculosis of any public health officer, State, County or Municipal, or the rules and regulations of any hospital or sanatorium wherein he or she is a patient, shall be forcibly quarantined or isolated in such place, quarters, or institutions meeting the approval of either the State, County or Municipal Departments of Public Health.

2. Any person reasonably suspected of having tuberculosis in a communicable stage or condition shall, promptly upon notice from the State or local health department, submit to an examination by a license physician of his or her choice or any public health officer, State, County or Municipal, and a diagnosis of communicable tuberculosis shall be reported to the State and local departments of health and shall subject such person to the provisions of paragraph (1) of these rules and regulations.

3. Any violations of these rules and regulations shall be punishable as for a misdemeanor.

Adopted by the State Board of Health Committee on November 14, 1943.

Penalty: See pages 67 and 69 of this bulletin.

RELATED LEGISLATION

Georgia Laws 1937. Dance-Halls, Etc., County Permit; Tax.

Section 1. County permit required.—Be it enacted by the General Assembly of Georgia, and it is hereby enacted by authority of the same, That from and after the passage of this Act, no person, firm or corporation shall establish, maintain, or operate any public dance-hall, boxing or wrestling arena or amusement place, tourist-camps and barbecue stands, for money or profit outside the limits of incorporated towns or cities in any county in this State having a population of 3,000 or more, according to the last or any future Federal census, without first obtaining the permission of the commissioners of roads and revenues or other authority in charge of such counties.

Section 2. Authority of commissioners.—Such commissioners of roads and revenues or other authority in charge of said counties shall have authority to grant or refuse such permission, or to grant the same for such time and under such regulations as they may deem proper for the public good. Such commissioner of roads and revenue or other authority in charge of said counties shall have authority to levy a license or occupational tax on such persons, firms or corporations included within the provisions of this Act.

Section 3. Penal violations.—Any person, firm or corporation establishing, maintaining or operating any such establishment as herein set forth without securing said permission, shall be guilty of a misdemeanor and such establishment shall be subject to be abated as a nuisance. (Acts 1937, pp. 624, 625.)

Georgia Laws 1937. Dance-Halls, Etc., County Permit; Tax.

Section 1. County permit.—Be it enacted by the General Assembly of Georgia and it is hereby enacted by authority of the same, That from and after the passage of this Act, no person, firm or corporation shall establish, maintain, or operate any public dance hall, swimming pool, tourist camp, barbecue stand, boxing or wrestling arena or amusement place for money or profit outside the limits of incorporated towns or cities in any county in this State having a population of more than 57,000 according to the last or any future Federal census, without first obtaining the permission of the Commissioners of Roads and Revenue or other authority in charge of such counties.

Section 2. Authority of commissioners.—Such Commissioners of Roads and Revenue or other authority in charge of said counties

shall have authority to grant, renew or refuse such permission, or to grant or renew the same for such time and under such regulations as they may deem proper for the public good. Such Commissioners of Roads and Revenue or other authority in charge of said counties shall have authority to levy a license or occupational tax on such persons, firms or corporations included within the provisions of this Act.

Section 3. Penal violation.—Any person, firm or corporation establishing, maintaining, or operating any such establishment as herein set forth without securing the said permission, shall be guilty of a misdemeanor and such establishment shall be subject to be abated as a nuisance. (Acts 1937, pp. 625-627.)

Georgia Laws 1939. State Board of Pharmacy—Drug Inspection

Section 1. Section 42-102 of Georgia Code 1933 amended; Appointment of Chief Drug Inspector; Duties.—That Section 42-102 of the Code of Georgia of 1933, relating to the appointment, duties and salary of the Chief Drug Inspector, be and the same is hereby amended as follows: By striking and repealing the first sentence of said Section and inserting in lieu thereof the following: "The Georgia State Board of Pharmacy shall, at the next regular meeting of said Board, appoint a Chief Drug Inspector, who shall hold office at the pleasure of the Board, and should any vacancy occur in said office for any cause whatsoever, said Board shall, either at a regular or called meeting, appoint his successor"; by striking and repealing the words "Commissioner of Agriculture" in line 7 of said Section and inserting in lieu thereof the words "Georgia State Board of Pharmacy"; by striking and repealing the words "Commissioner of Agriculture" in line 13 of said Section and inserting in lieu thereof the words "Georgia State Board of Pharmacy"; by striking and repealing the words "Commissioner of Agriculture" in line 14 of said Section and inserting in lieu thereof the words "Georgia State Board of Pharmacy, or the Secretary of said Board", so that said Section, as amended, shall read as follows:

"The Georgia State Board of Pharmacy shall, at the next regular meeting of said Board, appoint a Chief Drug Inspector, who shall hold office at the pleasure of the Board, and should any vacancy occur in said office for any cause whatsoever, said Board shall, either at a regular or called meeting, appoint his successor. The salary of the chief drug inspector shall not exceed the sum of \$3,000

per annum. His whole time shall be at the disposal of the Georgia State Board of Pharmacy and his duties shall be to visit and inspect manufacturing establishments, chemical laboratories and such other establishments as manufacture and put up for sale such articles as are known as family remedies, grocers' drugs, flavoring extracts, flavoring essences, toilet articles, bottles' supplies, stock powders and veterinary remedies; and to perform such other duties as may be directed by the Georgia State Board of Pharmacy. He shall report to the Georgia State Board of Pharmacy or the Secretary of said Board any and all violations of any of the drug laws of this State and particularly any person operating without licenses as required by laws."

Section 2. Section 42-103 of Georgia Code 1933 amended; Proceedings in drug violations.—That Section 42-103 of the Code of Georgia of 1933, relating to proceedings to be had on inspector's report, be and the same is hereby amended as follows: By striking and repealing the first sentence of said Section and inserting in lieu thereof the following:

"When such report shall have been made to the Board, or to the Secretary thereof, he or they shall cite such person to appear before the Board and the Attorney General for a hearing, as provided in Section 42-113."; by striking and repealing the words "Commissioner of Agriculture" in lines 5 and 6 of said Section and inserting in lieu thereof the words "the Board", so that said Section, as amended, shall read as follows:

"When such report shall have been made to the Board, or to the Secretary thereof, he or they shall cite such person to appear before the Board and the Attorney General for a hearing, as provided in Section 42-113. If after such hearing they shall decide that any of the drug laws have been violated, the Board shall certify the facts to the proper prosecuting official, as directed in Section 42-113. When such facts shall have been certified to any solicitor general, it shall be his duty to prosecute the offenders, whether the prosecution shall arise under the provisions of this law or under the general laws of this State."

Section 3. Section 42-113 of Georgia Code 1933 amended; Examination of foods and drugs; Hearings on adulteration and misbranding; Prosecution.—That Section 42-113 of the Code of Georgia of 1933, relating to the examination of specimens of foods and

drugs, be and the same is hereby amended as follows: By inserting between the words "shall" and "cause" in line 8 of said Section the following: "in the case of foods, and the Georgia State Board of Pharmacy shall in the case of drugs"; by inserting between the words "General" and "under" in line 11 of said Section the words "in the case of foods, and before the Georgia State Board of Pharmacy and the Attorney General in the case of drugs,"; by inserting after the word "Agriculture" in line 13 of said Section the words "where an adulteration or misbranding of foods is involved, or the Georgia State Board of Pharmacy where an adulteration or misbranding of drugs is involved,"; by inserting between the words "General" and "that" in line 18 of said Section the words "in the case of adulterated or misbranded foods, or the Georgia State Board of Pharmacy and the Attorney General in the case of adulterated or misbranded drugs,"; by inserting between the words "or the Georgia State Board of Pharmacy, as the case may be,"; by inserting between the words "Commissioner" and "shall" in line 24 of said Section the words "or the Board"; by striking the words "of Agriculture" in line 28 of said Section and inserting in lieu thereof the words "or Board"; so that said Section, as amended, shall read as follows:

"The examination of specimens of foods and drugs shall be made by the State Chemist or under his direction and supervision for the purpose of determining from such examination whether such articles are adulterated or misbranded within the meaning of this Title; and if it shall appear from any such examination that any of such specimens is adulterated or misbranded within the meaning of this Title, the Commissioner of Agriculture shall, in the case of foods, and the Georgia State Board of Pharmacy shall in the case of drugs, cause notice thereof to be given to the party from whom such sample was obtained. Any party so notified shall be given an opportunity to be heard before the Commissioner of Agriculture and the Attorney General, in the case of foods, and before the Georgia State Board of Pharmacy and the Attorney General in the case of drugs, under such rules and regulations as may be prescribed by them, and if it shall appear that any of the provisions of this Title have been violated by such party, the Commissioner of Agriculture where an adulteration or misbranding of foods is involved, or the Georgia State Board of Pharmacy where an adulteration or misbranding of drugs is involved, shall at once certify the facts to the proper prosecuting attorney, with a copy of the results of the

analysis of the examination of such article, duly authenticated by the analyst or officer making such examination, under the oath of such officer. In case it shall appear to the satisfaction of the Commissioner of Agriculture and the Attorney General in the case of adulterated or misbranded foods, or the Georgia State Board of Pharmacy and the Attorney General in the case of adulterated or misbranded drugs, that the article involved was shipped in interstate commerce, or the act complained of comes under the supervision and jurisdiction of the United States, the Commissioner of Agriculture or the Georgia State Board of Pharmacy, as the case may be, shall certify the case to the United States district attorney in whose district the violation may have been committed; but if it shall be under the jurisdiction of the courts of this State, the Commissioner or the Board shall certify the case to the solicitor of the court in the county where the offense occurred. It shall be the duty of the solicitor general to prosecute all persons violating any provisions of this Title, as soon as he shall receive the evidence transmitted by the Commissioner or Board. After judgment of the court, notice shall be given by publication in such manner as may be prescribed by the rules and regulations aforesaid."

Section 4. Legislative intent.—That the purpose and intent of this Act is to divest the Commissioner of Agriculture of the authority to appoint the chief drug inspector or to supervise, direct or control his duties, and to vest the power of appointing the chief drug inspector in the Georgia State Board of Pharmacy, and to provide that all of his duties shall be performed subject to the supervision, direction and control of said Board; to consolidate all of the powers and functions of the chief drug inspector under the control, supervision and direction of the Georgia State Board of Pharmacy, in the interest of efficiency and of the public health, safety and welfare. However, nothing contained therein shall be construed as to repeal the provisions of Chapter 73-1 of the Code of Georgia of 1933 with reference to the powers, duties and functions of the Chief Drug Inspector in connection with the manufacture, sale or labeling of paints, flaxseed or linseed oil, or other matters referred to in said chapter, other than that the duties of the chief drug inspector performed with reference to these matters shall be performed under the supervision, direction and control of the Georgia State Board of Pharmacy.

Section 4-a. Transfer of appropriation.—The General Assembly shall in the appropriations bill transfer funds now appropri-

ated to the Department of Agriculture for the support of the drug department to the State Board of Pharmacy to carry into effect the provisions of this Act. (Acts 1939, pp. 228-233.)

Georgia Laws 1939. **Dangerous Drug Act.**

Section 1. Drugs enumerated; Prescription.—It shall be unlawful for any person, firm, corporation or association to sell, give away, barter, exchange, distribute or possess in the State of Georgia amytal, luminal, veronal, barbital, acid diethyl-barbiturie, sulfanilamide, prontylin, neo-prontosil, or any salts, derivatives or compound of the foregoing substances, or any preparation or compound containing any of the foregoing substances, of their salts, derivatives of compound or any trade-marked or copyrighted preparation or compound registered in the United States Patent Office containing more than four (4) grains to the avoirdupois or fluid ounce of the above substances, except on a prescription of a duly licensed physician as defined by this Act and such prescription shall be compounded only by a registered pharmacist in accordance with the laws of this State. The provisions of this Act shall not apply to the sale at wholesale by recognized drug jobbers or wholesalers and drug manufacturers to pharmacists or drug stores or to physicians qualified to practice their profession according to the law, nor to the sale by pharmacists in drug stores to one another.

Section 2. Physician defined.—As provided by this Act a “physician” means a person authorized by the laws of this State to practice medicine and any other person authorized by law to treat sick and injured human beings and animals in this State and to use, mix, prepare, dispense and administer drugs in connection with such treatment.

Section 3. Labels.—Whenever a pharmacist dispenses a dangerous drug as defined in this Act, he shall in each case place upon the container the following: name of the patient, name of the physician prescribing such drug, name and address of the drug store or pharmacy from which such drug was dispensed, together with the date of the prescription.

Section 4. Information required on prescriptions.—Any physician as defined in this Act when prescribing dangerous drugs as set forth in Section 1 of this Act shall in each case give the name and address of the patient, together with complete directions for administering. Any physician as defined in this Act when dispen-

sing dangerous drugs as set forth in Section 1 of this Act shall be required to comply with Section 3 of this Act.

Section 5. Legal possession.—Possession and control of dangerous drugs as set forth in Section 1 of this Act shall be legal only if in the original container in which it was dispensed by the pharmacist or the physician and the burden of any exception shall be upon the defendant. No person shall obtain or attempt to obtain any of the dangerous drugs as set forth in Section 1 of this Act by the use of a fictitious name or by the giving of a false address.

Section 6. Enforcement.—It is hereby made the duty of all law-enforcement officials to enforce all provisions of this Act.

Section 7. Punishment.—Any person violating any provision of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be punished as for a misdemeanor. (Acts 1939, pp. 288-290.)

Georgia Laws 1937. **Sterilization—State Board of Eugenics.**

Section 1. Board membership; Vacancy.—A State Board of Eugenics is hereby created, to be composed of the Chairman of the State Board of Control, the Director of the State Board of Health, and the Superintendent of the Milledgeville State Hospital, any two of whom may act as such Board. These members shall serve as this Board without compensation except for actual traveling expenses, which said expenses shall be paid on warrant on the State Treasury, duly approved by the Governor, and the clerical and office records of the Board shall be part of the work of the Milledgeville State Hospital.

If any of the above named State departments should be discontinued, the Governor of this State shall appoint a suitable party to fill the vacancy on the Board of Eugenics created thereby.

Section 2. Records.—It shall be the duty of the Board to pass on applications for eugenic sterilization made in accordance with the provisions of the law, and to keep a record of such sterilizations. This record shall not be open to the public inspection, except for such purposes as the Board may approve.

Section 3. Operations on recommendation.—When it shall appear to the superintendent, manager, or director, of any State

home or hospital for mental or physical disease, or any State colony or institution for the care of the mentally or physically defective, deficient, or diseased, or the warden or superintendent of any State prison or penitentiary, correction school or reformatory, detention home, or camp, that a patient or inmate under the care of, or in such institution, would be likely, if released without sterilization, to procreate a child, or children, who would have a tendency to serious physical, mental, or nervous disease or deficiency, said superintendent or manager, after a consultation with his medical staff or any medical authority, shall submit to the State Board of Eugenics a recommendation that a surgical operation be performed upon said person for the prevention of parenthood. Such operation shall be a vasectomy for males, and a salpingectomy for females, or some similar operation that would not unsex the patient or inmate thereof.

Section 4. **Certified statement.**—This recommendation shall be in writing and accompanied by a certified statement containing the history of the patient as shown in the records of the institution, camp, penitentiary, school, colony, reformatory, prison, etc., so far as it bears upon the recommendation for sterilization and setting forth the particular reasons why sterilization is recommended.

Section 5. **Notice of application; Protest; Evidence.**—The superintendent, manager or director of any such institution or penitentiary or camp or other place of incarceration shall give notice by registered mail or otherwise, to the legal representative or next of kin of said patient or inmate, if the name and address of any such person is known, of the application for sterilization, and time and place of hearing on said application.

The patient or inmate, or his legal representative or next of kin, shall have the right to file with the said Board of Eugenics, a protest, with any records or affidavits of facts bearing on the case, and to appear and introduce testimony before the State Board of Eugenics if desired, and to appeal from any decision of said Board, to the courts as provided by this Act. The Board may require additional facts or evidence from any party to the proceedings, before passing on the case. Any member of said Board shall have power to administer oath to any document or witness in such case.

Section 6. Rules, etc.—The said Board is hereby empowered to make and promulgate any rules and regulations for the enforcement and promulgation of this Act.

Section 7. Approval of recommendation; Patient's physician.—If in the judgment of this Board, procreation by said patient or inmate would be likely to procreate children or a child, who by reason of inheritance would have a tendency to serious physical or mental disease or mental deficiency, it shall be the duty of the Board to approve said recommendation within 30 days after its receipt and to send to the superintendent, manager, or director of such institution or other place of incarceration, a written order, signed by at least two members of the board, directing him to proceed with the sterilization as provided in this Act, to-wit: a vasectomy for males, and a salpingectomy for females, or some similar operation. Nothing in this Act shall be construed to empower or authorize the Board to interfere in any manner with the right of the patient or his representative to select a competent physician of his own choice, for consultation or operation at his own expense.

Section 8. Copy of order to guardian or relative; Duty of solicitor-general.—The Board shall also send a copy of the order for sterilization to the legal guardian or known next of kin of the patient in this State, if known, accompanying it by a certified copy of the superintendent's or manager's or director's recommendation, setting forth the grounds upon which sterilization is held desirable, and notification that the patient or his legal representative has the right to appeal to the courts. If no near relative is known and no legal guardian has been appointed, such notice and copies thereof shall be sent to the Solicitor General of the Superior Court of the county from which the patient or inmate was committed, and it shall be his duty to protect the rights and best interests of the patient or inmate of any such institution or place of incarceration.

Section 9. Appeal.—If it appears to the patient or inmate or to his or her representative that the proceedings taken have not conformed with the law, or that the reasons given for sterilization are not adequate or well founded, or for any other reason the order is not legal or is not correct as applied to this individual, an appeal may be taken from the State Board of Eugenics to the Superior Court of the county containing the institution or place of incarceration in which said patient or inmate is under care. The pa-

tient or inmate, or representative of said patient or inmate, shall have 10 days after the receipt of the records above mentioned, to file with the Board of Eugenics, an application for appeal to the Superior Court of the county in which he or she is located. If no appeal is taken within such 10 days, the order of the Board shall be carried out as provided in this Act.

Section 10. Records to court; Trials.—Such appeal may be taken by filing within 10 days with the State Board of Eugenics a petition to the Superior Court of the county in which said patient is detained, setting forth the grounds of the appeal. On receipt of such petition, the Board shall send all the records in the case to such court, and promptly notify the superintendent of the hospital, or manager or director of the institution or place of incarceration involved, of the appeal.

In this appeal, the person for which an order of sterilization has been issued shall be designated as the plaintiff, and the superintendent of the hospital, or manager or director of the institution or place of incarceration in which said patient or inmate is confined, shall, in his official capacity, be designated as the defendant, the said case being tryable at the first term, as in the case of other appeals.

Section 11. Jury.—The proceedings before the Superior Court shall constitute a trial de novo, and upon application of either party shall be heard before a jury.

Section 12. Writ of error; Costs.—Any decision of the Superior Court, or of any court in such cases, may be appealed to the higher courts of the State as in civil cases.

The costs of appeal, if any, to the Superior and higher courts, shall be taxed as in civil cases.

Section 13. Stay of proceedings; Operation and report.—The pendency of any appeal shall stay proceedings under the order of the State Board of Eugenics until the appeal be determined. Should the State Board of Eugenics in hearing above provided for disapprove the recommendation of the superintendent, manager or director, for sterilization, or in case of appeal, should the decision of the court uphold the plaintiff's objection to the order; such disapproval or decision shall annul the order to sterilize.

Should the court find against the plaintiff, then if no appeal is filed within 10 days after such decision, the recommendation of said Board shall be put into effect at a time fixed by the superintendent, manager, or director of the hospital, institution or place of incarceration in which the patient or inmate is under care or is being detained; and the patient or inmate shall be sterilized as provided in Section 3 of this Act, whereupon the superintendent, manager or director shall file a report of the operation with the State Board of Eugenics.

Section 14. Non-liability.—Be it further enacted, That neither said superintendent nor any other person legally participating in the execution of the provisions of this Act shall be liable either civilly or criminally on account of said participation. (Acts 1937, pp. 414-419.)

Georgia Laws 1910, as amended: Georgia Laws 1935
Hospitals, Sanatoria . . . outside of Municipalities, How Established.

Section 1. Cemeteries, etc., outside municipalities, how established.—Be it enacted, that in all counties in this State having a population of one hundred twenty-five thousand (125,000) or more, and in adjoining counties, the board of county commissioners or single commissioner of roads and revenues, or, if there be no such board, the ordinary of said county, shall have the power to grant or refuse permission to establish outside of the limits of incorporated towns, cemeteries, hospitals, sanatoriums, homes for orphans, aged or infirm persons, or similar institutions.

Section 2. Regulations.—Said county authority as above stated may grant permission to establish such institutions under such regulations as they may deem proper for the public good.

Section 3. Such institutions, not so established, may be abated as nuisances.—No cemetery, or sanatorium, or hospital, or home for orphans, aged or infirm persons, or other similar institution of the character indicated in this Act, shall be established outside of the corporate limits of any town or city in said counties, without the permission of said county authority; and in the event any may be so established without obtaining said authority, then the parties so establishing same shall be guilty of a misdemeanor and such institution shall be subject to be abated as a nuisance.

Section 4. Violations of regulations punishable.—Should any such institution be established as herein provided and it should not abide the regulations provided by said county authority, the same may be subject to be abated as a nuisance, and the parties guilty of such violation shall be guilty of a misdemeanor. (Acts 1910, pp. 130-132; 1935, pp. 384-386.)

Georgia Laws 1939. **County Taxation—Hospitalization.**

Section 1. Section 92-3701 of Georgia Code 1933 amended; Hospitalization.—That from and after the passage of this Act Section 92-3701 of the Code of Georgia of 1933 be, and the same is hereby amended as follows: By adding an additional numbered sub-paragraph to said Code section to be numbered consecutively with the numbered sub-paragraphs of said Code Section as at present existing, reading as follows: To provide medical or other care and hospitalization for the indigent sick people of the County, not exceeding one mill. (Acts 1939, pp. 200, 201.)

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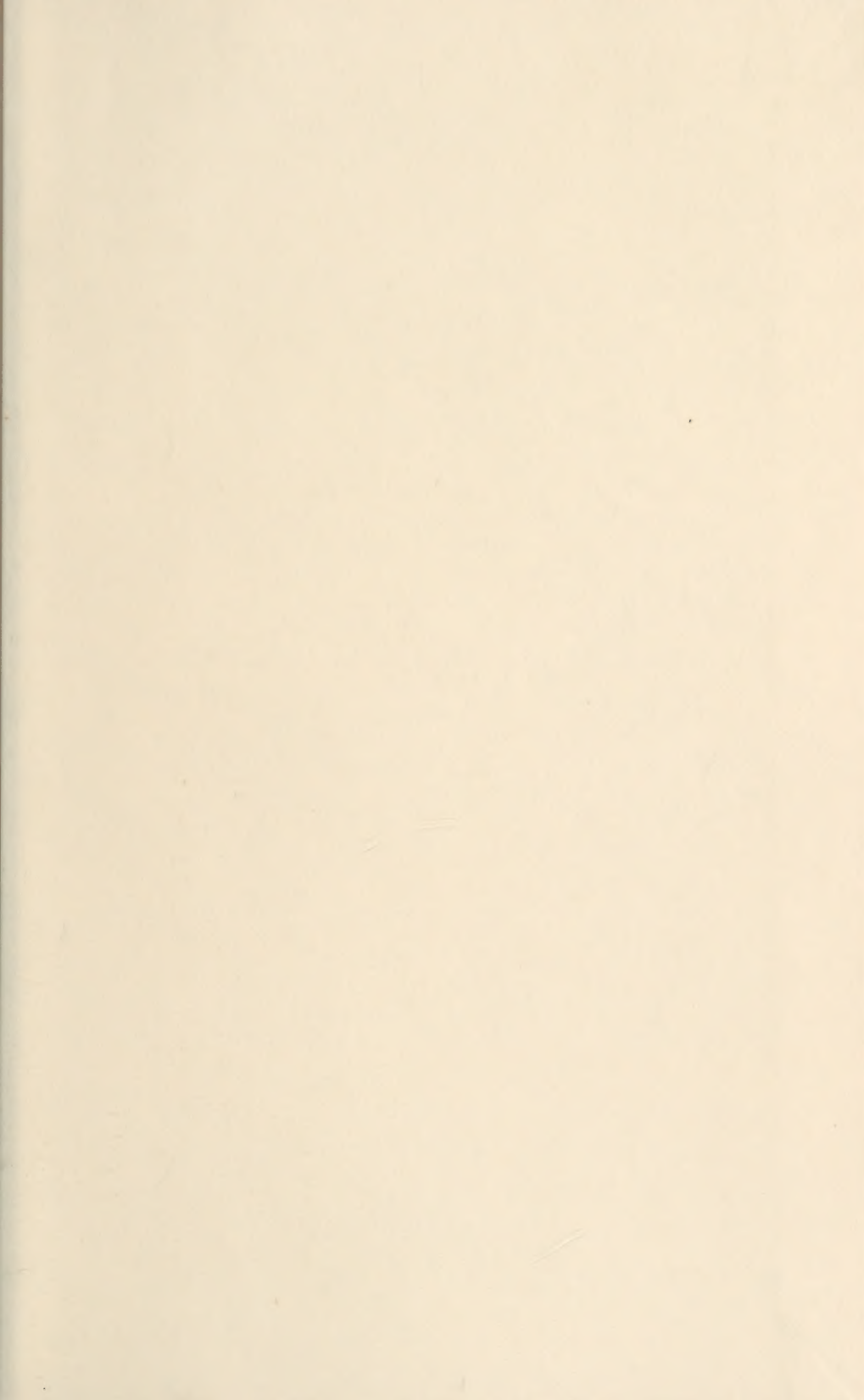
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